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**Promotion and protection of all human rights, civil,
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including the right to development**

Visit to Austria

**Report of the Special Rapporteur on contemporary forms of racism,
racial discrimination, xenophobia and related intolerance,
Ashwini K.P.^{*}, ^{**}**

Summary

In her report, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P., summarizes the findings of her visit to Austria, conducted from 2 to 9 December 2025. She welcomes the legal framework in place to uphold equality and non-discrimination, and a range of positive measures taken to address racial discrimination. Nevertheless, despite such efforts, she received multiple reports of deeply entrenched and pervasive racial hierarchies within Austrian society and she remains concerned about manifestations of racial discrimination impacting marginalized racial and ethnic groups. She concludes her report with recommendations on how the Government can build upon and expand efforts to address racial discrimination and achieve substantive equality.

* The present document was submitted to the conference services for processing after the deadline so as to include the most recent information.

** The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission only.

Annex

Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P., on her visit to Austria

I. Introduction

1. The Special Rapporteur visited Austria between 2 and 9 December 2025 at the invitation of the Government. She travelled to Vienna, Graz and Salzburg, meeting with a wide range of federal and Länder-level officials, including from the justice system and equality bodies. She also met with legislators, representatives of regional and international organizations and civil society representatives.
2. The Special Rapporteur wishes to thank the Government for the invitation to visit Austria. She appreciates the constructive engagement of all the officials with whom she met and the efforts of the Ministry of Foreign Affairs to facilitate all elements of the visit. She also expresses her appreciation to all the stakeholders who met with her, including those who shared their lived experiences of racial discrimination.
3. In the present report, the Special Rapporteur summarizes the findings of her visit, including both the positive elements and the issues that she identified. She concludes the report by making a series of recommendations to the Government.

II. Background

A. General background

4. Austria is a landlocked country in the southern part of Central Europe, with a population of 9.2 million.¹ The official language is German. The Federal Constitution defines the Republic of Austria as a representative democracy and federalist State with a clear division of powers between the Federal Executive and the nine Länder: Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna. Federal executive power is vested in the Federal President and the Federal Government. Austria is a parliamentary democracy, and elections are held for the President and the two chambers of Parliament: the National Council and the Federal Council. The nine Länder have their own constitutions, parliaments and governments.
5. Austria recognizes six national minorities: Slovene, Croatian, Hungarian, Czech, Slovak and Roma. No disaggregated data are available on the ethnic composition of the population.
6. Austria joined the European Union in 1995 and is a member of several international and regional organizations, including the United Nations, the Council of Europe and the Organization for Security and Cooperation in Europe.

B. Legal framework

7. Austria has a civil law legal system grounded in the Federal Constitution, which establishes equality before the law and prohibits discrimination. Austria has ratified the core international human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination. Austria is bound by the Convention for the Protection

¹ Population as of 2025 ([HRI/CORE/AUT/2026](#), para. 7).

of Human Rights and Fundamental Freedoms (European Convention on Human Rights). As a member of the European Union, Austria is subject to European Union anti-discrimination law, notably the Racial Equality Directive.²

8. Key legal provisions addressing racial discrimination include the equality clause in the Federal Constitution and the Equal Treatment Act, which prohibits discrimination in employment, access to goods and services, education and social protection. Under article 8 of the Federal Constitution, Austria acknowledges its historically evolved linguistic and cultural diversity and calls for the protection and safeguarding of minority rights. Relevant provisions of the Criminal Code criminalize incitement to hatred and racist violence. Austrian equality and non-discrimination laws also mandate a network of equality bodies, including the Federal Equal Treatment Commission and the Ombud for Equal Treatment.

III. Positive elements

9. During her visit, the Special Rapporteur identified several positive elements including:

(a) Legal provisions to uphold equality and non-discrimination, including the enshrinement of non-discrimination in article 7 of the Constitution, protection from discrimination on several grounds within the Equal Treatment Act, Länder-level equality laws, the establishment in law of multiple equality bodies, the inclusion of racially motivated crimes in the Criminal Code, and constitutional oversight of the compliance of laws and policies with equality and non-discrimination standards;

(b) The adoption in 2021 of the Act to Combat Hate on the Internet, which introduced dedicated legislation to address online hate speech, harassment and cyberbullying;

(c) The recognition among several officials of the need for an intersectional and structural approach to racism;

(d) The development and publication of an anti-racism strategy by the City of Vienna;

(e) The fact that equality bodies, such as the Ombud for Equal Treatment, have regional representatives to enhance coverage and accessibility;

(f) The implementation of interfaith projects to promote tolerance and understanding between those from different religions;

(g) Teaching and training initiatives on topics such as anti-racism, anti-Muslim racism, online hate speech and prejudice-conscious pedagogy;

(h) The establishment, in 2024, of the Investigation and Complaints Office for Allegations of Police Ill-treatment to address law enforcement issues, such as the excessive use of force, which can disproportionately impact those from marginalized racial and ethnic groups;

(i) The establishment by the Ministry of the Interior of a working group, which includes civil society organizations, to develop recommendations to put a stop to racial profiling within law enforcement agencies;

(j) Proactive measures, including the Fairplay Initiative and Sport Against Racism Austria, to prevent and address discrimination, including racism, within sports;

(k) The development and publication, in 2024, of an Anti-racism Strategy by the Federal Ministry of Housing, Arts, Culture, Media and Sport;

(l) Initiatives to protect and promote the cultural heritage of those from marginalized racial and ethnic groups and programmes to promote cooperation with artists from countries in the global South, such as the Focus International project;

² Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

(m) The work of dedicated equal treatment and anti-discrimination offices in Styria and Salzburg to address racial discrimination through monitoring, intervention in individual cases and awareness-raising campaigns;

(n) The adoption by the City of Graz of the 10-point Action Plan against Racism and Discrimination;

(o) Measures taken by the City of Salzburg to address racism and hate speech, including the adoption of a zero-tolerance approach to hate speech, ensuring accountability for public graffiti depicting Nazi symbols, and workshops on addressing hate speech.

IV. Key issues relating to the Special Rapporteur's mandate

A. Cross-cutting considerations

1. Legal and policy framework

10. The Special Rapporteur commends Austria for having legal provisions in place to uphold equality and non-discrimination. Despite welcoming such provisions, she repeatedly received information about protection gaps within the legal framework. This indicated that the legal landscape is highly complex, with non-discrimination provisions being included within laws at both the federal and the Länder levels. In addition, Länder-level laws are not uniform in their protection against discrimination. This fragmented patchwork of legal provisions weakens legal certainty and equal protection before the law. Moreover, there are significant gaps in equality and non-discrimination provisions. There is a lack of full protection against discrimination on the basis of age, LGBTI status and religion, outside of the employment context. Such gaps undermine equality and non-discrimination efforts and limit the effective implementation of an intersectional approach.

11. The equality and non-discrimination institutional frameworks include several bodies at the federal level, including the Equal Treatment Commission and the Ombud for Equal Treatment, alongside institutions at the Länder level. The Special Rapporteur recognizes the important work of all these bodies and welcomed the information about efforts to ensure effective cooperation and coordination. However, such a complex system inevitably leads to fragmentation and to confusion among those seeking assistance and remedy for racial discrimination. Moreover, in an environment of austerity, overlap and duplication risks inefficiency and diverting resources from important preventive work. A process of consolidating and strengthening the mandates of the different equality bodies would be beneficial. Such reform could streamline the process for those seeking assistance and strengthen the overall efficiency and effectiveness of equality and non-discrimination work.

12. The Special Rapporteur welcomes the development of national strategies to address the discrimination, hatred and exclusion experienced by specific groups. This includes the National Strategy for the Inclusion of Roma and the National Strategy against Antisemitism 2.0. Nevertheless, she is concerned about the lack of similar policies to promote the rights of those from other marginalized racial and ethnic groups, including Africans and people of African descent and those affected by Islamophobia. Ensuring that dedicated policies are in place for all groups subjected to racism is important. Moreover, the development and publication of an overarching national action plan on all forms of racism is vital. A national action plan could serve to highlight the needs of all those subjected to racism and offer a shared definition of racism and racial discrimination, including structural forms. It could also be an opportunity to develop an intersectional approach, bearing in mind that identities can overlap. The Special Rapporteur recognizes that there have been public debates about the development of a national action plan but urges Austria to take more timely action.

2. Defining and acknowledging racism

13. The Special Rapporteur frequently noted difficulties with defining race and racism within the Austrian legal and policy framework. She acknowledges the information that she received about difficulties with using the German word for "race", given its historical connotations. She noted that ethnicity is an acceptable term within the Austrian context.

Ethnic origin is included within article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, as one of the grounds for racial discrimination. Race is also included within article 1 as a separate ground. The Special Rapporteur is of the opinion that conflating race and ethnicity is not aligned with the definition of racial discrimination included within that Convention. Difficulties defining and acknowledging race as grounds for racial discrimination risk limiting opportunities for racial self-identification and rendering invisible the harmful process of racialization. The Special Rapporteur further noted that difficulties defining and acknowledging race can lead to the use of proxies, including those that have the potential to inadvertently reinforce harmful racial stereotypes and hierarchies. For example, she noted that it is common and socially acceptable to refer to a “migrant background” to describe people perceived as being from marginalized racial and ethnic groups, whereas white people tended to be described as having an “Austrian background”. This appeared to take place irrespective of whether those belonging to marginalized racial and ethnic groups had been born in Austria.

14. In addition to sensitivities with the use of the term “race”, the Special Rapporteur noted interrelated issues with defining “racism”. She noted that the use of different proxy terms to define “race” seems to be contributing to a lack of shared understanding of what constitutes racism and racial discrimination, including systemic, structural and intersectional forms of such phenomena. This absence of a shared understanding is exacerbated by the absence of an overarching definition within the relevant legal and policy framework. Not having an overarching definition of racism and racial discrimination risks leaving gaps in corresponding protections and a degree of “invisibilization” of these harmful phenomena within broader society. This further contributes to the systemic erasure of the historical realities of discrimination faced by racially and ethnically marginalized groups.

15. The Special Rapporteur stresses the importance of developing a comprehensive and shared definition of racism and racial discrimination that includes the process of racialization that is inherent to racism and racial discrimination, in a manner that is appropriate within the national context. Such a definition should also capture intersectional, systemic and structural forms of racism and racial discrimination.

3. An absence of special measures to further racial equality

16. A significant gap in the anti-racial discrimination legal framework is the absence of the enshrinement of special measures to advance substantive racial equality. Special measures, often referred to as “affirmative action” or “positive measures”, are targeted benefits provided to underrepresented or marginalized racial and ethnic groups, aimed at ensuring equitable representation and the equal enjoyment of human rights by all. Pursuant to article 1 (4) of the International Convention on the Elimination of All Forms of Racial Discrimination, State Parties are obligated to develop and implement special measures wherever there is disparate enjoyment of human rights by persons and groups. Given the persistent systemic inequalities experienced by groups, including Roma persons, people of African descent, Muslims and people of Arab descent, it is important that Austria consider the development of formal special measures.

17. The Special Rapporteur received many reports that, in the absence of special measures, marginalized racial and ethnic groups remain underrepresented in employment, education and political participation, contributing to the continuation of racial inequality. For example, parliamentarians reported that racial representation is very limited in Parliament and that those from marginalized groups feel poorly represented within this key decision-making forum. The Special Rapporteur also heard multiple reports that there are a limited number of people from marginalized racial and ethnic groups working in the Government, including roles that involve working directly on addressing racial discrimination. She took note of efforts to ensure diversity and inclusion through the diversity management system, including by public sector employers and universities. Nevertheless, she urges Austria to consider taking comprehensive special measures, in line with its obligations as a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination, to better ensure racial representation across society and to advance substantive racial equality.

4. Disaggregated data

18. The Special Rapporteur is concerned about the lack of disaggregated data on the situation and the needs of those from marginalized racial and ethnic groups in Austria. She took careful note of the privacy and safety concerns articulated by stakeholders. This included sensitivity about the collection of data on ethnicity and race, considering the country's historical experiences. Such concerns mean that official statistics, including the national census, generally provide proxy indicators, such as citizenship, language spoken, country of birth or parents' country of birth, rather than self-identified racial or ethnic identity. While some data exist in relation to recognized national minorities, they remain limited and do not capture the experiences of many groups affected by racism, including Africans and people of African descent, Roma persons and Muslims.

19. Many United Nations human rights entities have repeatedly highlighted the importance of the collection and publication of disaggregated data and have recommended that States strengthen and expand their efforts in this regard, including by capturing intersectional discrimination.³ Data that are fully disaggregated, collected according to the principles of consent and self-identification, and that effectively capture intersectional discrimination play an important role in recognizing the existence, experiences and heritage of persons and groups who experience racism. Disaggregated and intersectional data are therefore a powerful tool to tackle the "invisibilization" of affected communities. Data can also challenge racial stereotypes and reveal systemic disparities and inequalities. The absence of disaggregated data has significantly hindered the effective implementation of inclusive policies in Austria. Disaggregated and intersectional data can support effective targeting, monitoring and evaluation of the effectiveness of legislation, policies and programmes aimed at addressing structural racism and intersectional discrimination.

20. Challenges and barriers to collecting disaggregated data, including safety concerns, can be overcome through adherence to the principles of self-identification and informed consent, alignment with human rights standards and guidance, and the full and effective participation of persons and communities affected by systemic racism and intersectional discrimination in the design, implementation and evaluation of data collection and analysis systems.

5. Austerity measures

21. The Special Rapporteur is concerned by reports of cuts to the resources available to provide key public services and implement anti-racial discrimination measures. This includes reductions in the funding provided by the Government to non-governmental organizations (NGOs) working on anti-racial discrimination measures. For example, she received concerning information about reductions in certain social welfare benefits for asylum-seekers and funding cuts to NGOs offering multilingual therapy in Salzburg. She also received reports of funding cuts affecting NGOs working on issues related to racial discrimination against people of African descent in Vienna. The government of Styria reportedly cancelled approximately €2.5 million in social subsidies. Furthermore, access to remaining social benefits, such as heating allowance and housing support, is reportedly being restricted to citizens of Austria and the European Union/European Economic Area, with new requirements for minimum residency and proof of prior contributions. While noting that there are fiscal constraints facing the Government, the Special Rapporteur is concerned by cuts to projects targeting support to marginalized racial and ethnic groups. In addition, she highlights the risk of general austerity measures having a disproportionate impact on marginalized racial and ethnic groups due to pre-existing vulnerabilities. The Special Rapporteur urges Austria to fully evaluate the impact of all proposed and implemented funding cuts on those with

³ See A/70/335; A/79/316; A/HRC/23/50; A/HRC/42/59; A/HRC/57/67; A/HRC/59/62; CERD/C/ZAF/CO/9-11; CERD/C/PRT/CO/18-19; Committee on the Rights of the Child, general comment No. 26 (2023), para. 15; and OHCHR, "Disaggregated data to advance the human rights of people of African descent", 2023, available at <https://waps.ohchr.org/sites/default/files/documents/issues/racism/wgeapd/racial-justice-booklet-nov-10-pages.pdf>.

experiences of racial and intersectional forms of discrimination. She highlights the importance of prioritizing anti-racial discrimination measures within public spending.

B. Concerns impacting specific groups

1. Roma and Sinti communities

22. The Special Rapporteur received reports that racial and ethnic discrimination against Roma and Sinti persons remains a persistent and systemic challenge. This includes racism against Roma and Sinti persons from Austria, despite their recognition as a national minority, as well as Roma migrants. Manifestations of such discrimination are evident across employment, education, health and housing, contributing to the continued social and economic marginalization of these persons. Women, older persons, persons with disabilities and migrants from Roma and Sinti communities often experience intersectional discrimination resulting in deep and pervasive marginalization.

23. The Special Rapporteur heard concerning reports about the segregation of Roma children into special schools or separate classes within mainstream schools. She received reports about a lack of adequate resources for measures to ensure integration within mainstream schools, such as Roma teachers and Roma mediators with relevant language skills. Even more concerning, the Special Rapporteur was told about the reported mistreatment of Roma children within educational institutions. For example, she was deeply concerned to hear about a case in Salzburg in which Ukrainian Roma children were accused of stealing a phone, without any objective basis. The owner had left the phone at home but mistakenly thought it had been stolen. Thirty-two children aged between 6 and 12 were reportedly kept in a classroom for approximately an hour and a half by the principal and school assistants. Some of the children were instructed to remove their outer clothing and their pockets were checked. The children were instructed to leave their school bags at school, as the police would be conducting a search the following day. The parents were not informed about the accusation nor about the unauthorized inspection of the children. The Special Rapporteur recognizes that the federal Department of Education has a zero-tolerance policy regarding discriminatory behaviour and welcomes the fact that a circular providing clear guidelines for addressing discrimination and promoting a respectful school climate has been disseminated to schools. She nevertheless remains concerned that this reported case appears to exemplify deep-seated prejudice against Roma and Sinti persons and tendencies among some individuals to scapegoat those belonging to such communities, even young children.

24. The Special Rapporteur welcomes the fact that the Government has taken steps to implement the European Union Framework for Roma Integration. She commends Austria on the National Strategy for the Inclusion of Roma and the efforts made to ensure consultation with civil society organizations and affected persons in its development. She also welcomes the fact that federal and Länder equality bodies in Austria assist in cases of discrimination against Roma and Sinti persons. However, the continued marginalization, exclusion and harassment of Roma and Sinti persons, including children, clearly demonstrate that efforts must be intensified to combat deep-seated prejudices and ensure comprehensive enforcement of anti-discrimination legislation. Building trust to collect the necessary data to allow for a comprehensive assessment of the situation of Roma and Sinti communities, and for the monitoring of the implementation of the national strategy, would be an important step. More comprehensive public awareness-raising campaigns to tackle anti-Roma sentiments within the population and to raise awareness of the national strategy would also be helpful. Additionally, it is vital that Austria takes an intersectional approach to addressing anti-Roma racism to effectively address the overlapping and compounding vulnerabilities experienced by women, older persons, persons with disabilities and/or migrants from Roma and Sinti communities.

2. Antisemitism

25. The Special Rapporteur is deeply concerned about the rising levels of antisemitism in Austria, which reflect the unacceptable rise in antisemitism seen globally since 7 October 2023. Such trends are particularly concerning given that levels of antisemitism are rising

from a pre-existing high base in Austria. The European Union Agency for Fundamental Rights published data in 2024 based on a survey conducted before 7 October 2023. According to the findings, 38% of Jewish respondents in Austria had experienced antisemitic harassment in the preceding year.⁴ The survey highlighted the fact that online antisemitism, particularly on social media, was a persistent challenge that had an impact on the mental health of Jewish people. A considerable proportion of participants in the survey reported worrying about themselves and/or their family members and friends. The majority also reported that they avoided wearing religious symbols in public due to concerns about their safety. Data published by the European Union Agency also indicated underreporting of antisemitism.⁵

26. The Reporting Centre for Antisemitism of the Jewish Community of Vienna has published data on antisemitism since 7 October 2023. It recorded a total of 1,520 antisemitic incidents in 2024. Compared to 1,147 incidents in 2023, this represents a shocking increase of 32.5% and could be an underestimation due to underreporting. Of the 1,520 incidents recorded in 2024, the report identified 24 physical assaults, 38 threats, 216 incidents of damage and desecration, 616 mass mailings and 626 incidents of abusive behaviour.⁶ Such high levels of antisemitism have a strong link with the existence of neo-Nazi groups and growing right-wing populism, as discussed in the subsequent section.

27. The Special Rapporteur welcomes the fact that the Government has taken steps to address antisemitism and to promote Jewish life. She commends the development and publication of the National Strategy against Antisemitism 2.0 and its comprehensive approach to addressing antisemitism. The strategy was published in 2025 as the second national strategy, building on the first such strategy published in 2021. The Special Rapporteur also welcomes the Government's reported engagement and partnership with Jewish communities in the development of the national strategy and the commitment to a whole-of-government and whole-of-society approach to addressing the scourge of antisemitism. In addition, she commends Austria for the adoption of the Package of Measures against Antisemitism and Antisemitic Disinformation in the Digital Sphere and the passing of the Austrian-Jewish Cultural Heritage Act by the legislature. She also welcomes the fact that equality bodies in Austria can assist in cases of antisemitism.

28. Nevertheless, the Special Rapporteur remains seriously concerned about the persistently high levels of antisemitism and the threats to the safety of Jewish people. She urges continued engagement and partnership with Jewish communities to effectively implement the National Strategy against Antisemitism 2.0 and all related legislative and policy provisions.

3. Africans and people of African descent

29. The Special Rapporteur was deeply concerned to hear about the experiences of Africans and people of African descent in Austria. Anti-Black racism constitutes a systemic and pervasive scourge, which appeared to be largely unaddressed. It affects those of African descent, including people who are Austrian through naturalization or birth, as well as African migrants, including those seeking international protection. Manifestations of racism and racial discrimination reportedly include persistent exclusion, hostility, microaggressions and humiliating behaviour experienced during everyday life, including being perceived as "non-Austrian" even when the person concerned is Austrian born. The Special Rapporteur also heard about shocking cases of physical violence, including by neo-Nazi groups, and persistent racial profiling by law enforcement officials, particularly among men who are African or of African descent. Racist bullying and exclusion in schools and racial discrimination in healthcare settings were also consistently reported. Black women face specific manifestations of racial and intersectional discrimination, including being subjected to highly sexualized racial stereotypes and degrading racist treatment in public spaces. The cumulative impact of everyday racism has rendered Black women particularly vulnerable and disproportionately exposed to both verbal and physical abuse. Despite these high levels

⁴ European Union Agency for Fundamental Rights, *Jewish People's Experiences and Perceptions of Antisemitism* (Vienna, 2024).

⁵ Ibid.

⁶ Jewish Community of Vienna, "Antisemitic cases 2024 in Austria", 2025.

of abuse, reporting to authorities remains low, driven by a lack of trust in public institutions, particularly law enforcement agencies, and a belief that acting will not lead to accountability or meaningful change.

30. The most recent “Being Black in the EU” survey published by the European Union Agency for Fundamental Rights mirrors the reports that the Special Rapporteur received. The Agency reported that people of African descent in Austria face some of the highest levels of racial discrimination in Europe. Respondents reported frequent manifestations of racial discrimination, including in job-seeking, the workplace, housing, education and healthcare, often at rates above the European Union average. The Agency also reported that Africans and people of African descent experienced racist harassment, insults and threats, including in school settings. The findings indicate that anti-Black racism in Austria is not only frequent but also structural, affecting multiple societal domains simultaneously. Moreover, the Agency’s report showed little evidence of improvement since previous surveys.⁷

31. The Special Rapporteur noted with concern a seeming absence of measures targeted specifically towards addressing anti-Black racism. She is also deeply concerned by the lack of data about the situation of Africans and people of African descent in Austria. The Special Rapporteur welcomes the fact that the mandate and work of different equality bodies encompass the equal treatment of Africans and people of African descent. However, it was not clear what specific measures the Government has been taking to prevent anti-Black racism or to address structural forms of such discrimination. There is a lack of both a specific strategy on promoting and protecting the rights of people of African descent and an overarching national action plan against racism that includes consideration of their needs. The Special Rapporteur urges Austria to significantly step up efforts to address the racial discrimination experienced by Africans and people of African descent.

4. Islamophobia, anti-Arab racism and anti-Palestinian racism

32. Stakeholders reported to the Special Rapporteur that the incidence of Islamophobia and related forms of racism has increased. She received reports of pervasive discrimination relating to housing, employment and access to public goods and services, as well as anti-Muslim bias in the healthcare system. The Special Rapporteur also heard shocking reports of Muslim women who wear headscarves being physically attacked and spat on in daily life and facing pervasive online abuse. Islamophobia, anti-Arab racism and anti-Palestinian racism have reportedly increased since 7 October 2023, in line with unacceptable global trends. Austrian election periods, which tend to invoke harmful rhetoric, were also described as being a major trigger for increasing Islamophobia and related racism. Such trends are exacerbated by a hostile media environment and the media’s persistent use of racist stereotypes depicting Muslims and Arabs, including Palestinians, as being dangerous.

33. These reports are consistent with the most recent relevant data from the European Union Agency for Fundamental Rights regarding Islamophobia in Austria. According to the data, 71% of Muslims surveyed in Austria reported being targeted by racial discrimination and Islamophobia in their daily lives. This was the highest reported rate among the European Union countries included in the research.⁸ In 2024, the Documentation and Counselling Center Islamophobia and Anti-Muslim Racism documented a total of 1,336 anti-Muslim racist attacks taking place against Muslims and those perceived as Muslim. According to the Agency, only 3% of victims in Austria reported their experiences of discrimination to an official body. This low reporting rate persisted despite knowledge about the existence of legal protections and human rights organizations, reportedly because of a lack of trust that complaints would lead to meaningful change.⁹

⁷ European Union Agency for Fundamental Rights, *Being Black in the EU: Experiences of people of African descent* (Vienna, 2024).

⁸ European Union Agency for Fundamental Rights, *Being Muslim in the EU: Experiences of Muslims* (Vienna, 2024).

⁹ Documentation and Counselling Center Islamophobia and Anti-Muslim Racism, “Anti-Muslim racism report 2024 – summary”, 2025.

34. The Special Rapporteur also received deeply concerning reports detailing forms of Islamophobia and anti-Arab and anti-Palestinian racism perpetrated by the State, including the surveillance and overpolicing of communities by law enforcement agencies. For example, Operation Luxor in Austria in 2020 was a massive operation targeting suspected “Islamist extremists” and organizations, including civil society organizations, in Vienna, Styria and Carinthia. The large-scale operation involved 70 locations and significant resources, yet resulted in no arrests, investigations or charges. This raises significant questions about the lawfulness of such operations and the extent to which Operation Luxor was based upon objective criteria and reasonable suspicion, as opposed to racial profiling and/or hostility to Muslims. It was reported that other raids against Muslim communities, Arabs and Palestinians have taken place since Operation Luxor. In addition, the Special Rapporteur received reports that public protests, particularly those in support of Palestinians, have been a setting for surveillance and overpolicing of Arabs, Muslims and Palestinians.

35. The Special Rapporteur is deeply concerned by the pervasive and systemic nature of Islamophobia and related forms of racism. She welcomes the steps taken by the Government to address Islamophobia, including the implementation of inter-faith projects and the development of some teaching and training initiatives on anti-Muslim racism. Given reports of racial profiling affecting Muslims, Arabs, people of Arab descent and Palestinians, she also welcomes the establishment of both the Investigation and Complaints Office for Allegations of Police Ill-treatment and the Ministry of the Interior working group to develop recommendations to put a stop to racial profiling. The Special Rapporteur further welcomes the fact that the mandate and work of different equality bodies encompass the equal treatment of Muslims, Arabs, people of Arab descent and Palestinians.

36. The Special Rapporteur is nevertheless concerned by the lack of data about the situation of Muslims, Arabs and people of Arab descent and Palestinians. Furthermore, it was not clear to her that the Government has adopted a whole-of-government and whole-of-society approach to preventing, addressing and remedying Islamophobia. She is concerned by the absence of both a specific strategy on Islamophobia and an overarching national action plan against racism that includes consideration of the needs of those groups. The Special Rapporteur urges Austria to urgently address these significant gaps.

37. In addition, the Special Rapporteur has serious concerns about the headscarf ban for girls under 14. Amendments to the School Act mandating this ban were adopted by Parliament shortly after her visit. It is planned for the updated legislation to be implemented during the 2026/27 school year, although challenges to the constitutionality of the amendments are expected. As was acknowledged by many officials, a similar, more limited ban was annulled by the Constitutional Court in 2020 on the grounds that it was discriminatory.

38. The Special Rapporteur is concerned that the ban targets only one religious symbol. The State educational system is not secular and other religious symbols are permitted within schools. Moreover, if implemented, the ban will impact only one gender, of a particular age and religion. The Special Rapporteur listened carefully to the information provided by different stakeholders about the rationale for the ban being put in place to provide opportunities and protection. She perceived there to be a lack of accurate data demonstrating the rationale and how the requirement of proportionality has been met. Moreover, she identified a concerning tendency to rely on harmful stereotypes to justify the ban. These stereotypes included Muslim girls as inherently needing protection and Muslim boys as dangerous, the headscarf as having a one-dimensional and oppressive symbolism and the notion that Muslim girls who wear headscarves may be limited to “traditional” life paths. The Special Rapporteur did not see substantial evidence of sufficient reflection on whether high levels of societal Islamophobia, including intersectional forms of discrimination leading to hostility to women who wear headscarves, have played into public debates on this issue. Moreover, the Special Rapporteur is concerned by the risk that a headscarf ban and/or the debates about such measures will fuel already high levels of Islamophobia and intersecting forms of gender-based discrimination. There is also a risk that a ban on headscarves may negatively impact the education of girls and increase their marginalization.

39. While the Special Rapporteur notes that a progressive system of enforcement of the legislation is envisaged, she is nevertheless shocked that the Government has introduced a

system of enforcement that includes sanctions, including high fines, for families that do not comply with the ban. She fears that this punitive approach may reveal an underlying hostility toward Muslims and could further damage trust between the Government and affected communities. In addition, if implemented, such fines may have negative impacts on the best interests of the child, as they could lead to a diversion of resources dedicated to children's care, education and/or well-being.

40. The Special Rapporteur reminds the Government and Parliament of their obligations under international human rights law, including the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. She urges them to halt implementation of the legislation to assess its provisions against constitutional and international human rights standards.

C. Thematic topics

1. Neo-Nazi groups and growing right-wing populism

41. The Special Rapporteur received extremely concerning reports about neo-Nazi and other far-right extremist groups in Austria that engage in historical revisionism, particularly Holocaust denial, and fuel antisemitism, racism, xenophobia and anti-immigrant propaganda. She received several reports of identitarian propaganda by neo-Nazi groups that has further exacerbated racism. She was shocked by reports of the growing presence of far-right and neo-Nazi groups. She received disturbing information about neo-Nazi groups perpetrating physical violence against those from marginalized racial and ethnic groups, including men and boys who are African or of African descent. The impact of these groups is far-reaching because of their targeting of multiple marginalized racial and ethnic groups and the related fear and intimidation they spread.

42. Neo-Nazi and other far-right extremist groups have become adept at perpetuating their corrosive role within society. They recruit children and young people, especially boys and young men, through online platforms, far-right music and mixed martial arts activities. The online environment plays a significant role in radicalization processes, enabling the rapid dissemination of extremist content, cross-border networking and the targeting of young people through subcultural spaces, including music, gaming and combat sports. The Special Rapporteur heard about how such groups are adept at mainstreaming extremist ideologies by using carefully coded language and racist dog whistles. There were also concerning reports of disinformation targeting racially and ethnically marginalized groups disseminated by far-right and neo-Nazi groups. This contributes to a blurring of boundaries between extremist and mainstream discourse, facilitating the normalization of racist, xenophobic and exclusionary narratives in public debate. This is reflected in growing right-wing populism and the alleged relationships between neo-Nazi groups and formal political parties. Parties with links to neo-Nazi groups are reportedly increasingly integrated into formal political and governance structures at the federal and Länder levels. The Special Rapporteur fears that this is emboldening extremist groups and leading to the normalization of far-right discourses and policies within politics and governance.

43. The Special Rapporteur commends Austria for its legal provisions to address neo-Nazi and other far-right extremist groups. These include the 1947 Prohibition Act, which criminalizes neo-Nazi activity and Holocaust denial, the Criminal Code provisions relating to hate crime and incitement to hatred and the Act to Combat Hate on the Internet. Nevertheless, given reports of pervasive trends in neo-Nazism and related right-wing extremism and the corrosive impacts of these scourges, the Special Rapporteur stresses the need to ensure more comprehensive enforcement of these provisions. She also highlights the importance of complementary non-legal measures, including comprehensive historical and anti-racism educational provisions, early interventions and programmes to address and combat neo-Nazi ideology and its propaganda.

2. Hate speech, including online racist hate speech

44. The Special Rapporteur received disturbing reports of hate speech against all marginalized racial and ethnic groups. A key trend that was described to her is a significant increase in online racist hate speech, including manifestations invoking antisemitism, anti-Asian racism, anti-Black racism, discrimination against Roma and Sinti communities, Islamophobia, anti-Arab racism and anti-Palestinian racism.¹⁰ Global events and trends, including the coronavirus disease (COVID-19) pandemic, the ongoing conflicts in West Asia and migration debates, were all identified as contributing to the increase in online hate speech. The presence of neo-Nazi and other extreme right-wing groups in Austria is also a driver, as these groups use online platforms to spread hateful narratives. Online environments facilitate the rapid spread and amplification of hateful content through algorithms, the use of coded language and the circulation of online content, such as videos and memes, which contribute to the normalization of racist narratives. The impact of online racist hate speech is not confined to the digital sphere. It can translate into offline discrimination, harassment and violence against targeted communities, particularly when online content reaches the threshold for incitement.

45. The Special Rapporteur was also deeply concerned to hear about hate speech deployed by politicians and about hateful, racist sentiments, including anti-immigrant propaganda, being common in the media. The use of inflammatory or exclusionary rhetoric by political actors and its amplification in certain media outlets further contributes to legitimizing and normalizing racist discourse by lowering the threshold for hate speech in public debate.

46. The Special Rapporteur commends the Government for the measures it has taken to address hate speech. These include Criminal Code provisions relating to hate crime and incitement to hatred, the 2021 Act to Combat Hate on the Internet, the implementation of a new, improved hate crime recording system in 2021 and the establishment of the National No Hate Speech Committee to address online hate. She also welcomes information received about projects implemented by the federal, Länder and city governments to address hate speech. Despite these measures, stakeholders reported challenges including underreporting, barriers to accessing complaint mechanisms, and inconsistencies in the investigation and prosecution of hate speech cases. The Special Rapporteur stresses the need to step up enforcement of the relevant legal standards and to further expand non-legal measures, such as “counter speech”, increasing digital literacy, training and awareness-raising programmes and psychosocial support for those who are impacted by hate speech.

3. Racial discrimination within law enforcement agencies and custodial settings

47. The Special Rapporteur received multiple reports of racial profiling by law enforcement officials, including of people of African descent, Muslims and people perceived as being Muslim. Some 49% of people of African descent in Austria reported being stopped by the police in the five years preceding the most recent “Being Black in the EU” survey conducted by the European Union Agency for Fundamental Rights.¹¹ European Union-wide data published in the Agency’s 2024 *Being Muslim in the EU* report demonstrated widespread racial profiling of Muslims. Around half of the Muslims surveyed for that report, from across European Union countries, indicated that they had been racially and ethnically profiled.¹² Racially motivated identity checks often affect the same people multiple times and usually form part of a broader spectrum of racially motivated law enforcement activities. These practices may reflect systemic patterns, particularly when certain groups are repeatedly targeted across different policing contexts. The impacts of these systemic practices on affected communities are cumulative and, as a result, trust between them and law enforcement agencies can be low. This erosion of trust may lead to underreporting of crime, reduced cooperation with law enforcement and broader social exclusion.

48. Given key international legal provisions prohibiting racial profiling, the Special Rapporteur commends Austria for its recognition of the issue. This includes the

¹⁰ [CRC/C/AUT/CO/5-6](#), paras. 16, 17 and 25.

¹¹ European Union Agency for Fundamental Rights, [Being Black in the EU](#).

¹² European Union Agency for Fundamental Rights, [Being Muslim in the EU](#).

establishment, by the Ministry of the Interior, of a working group, which includes civil society organizations, to develop recommendations to put a stop to racial profiling within law enforcement agencies. She encourages the working group to develop a national action plan to prevent, address and remedy racial profiling that includes actions focused on internal and external accountability, awareness-raising and training, community engagement to build and maintain trust with affected communities and collecting disaggregated data on racial profiling.

49. The Special Rapporteur also heard about the overpolicing, excessive use of force and surveillance by law enforcement officials of those from marginalized racial and ethnic groups. Given such reports, she welcomes the establishment of the Investigation and Complaints Office for Allegations of Police Ill-treatment. The office was set up in 2024 to take a more structured approach to investigating complaints of law enforcement misconduct. The Special Rapporteur welcomes the fact that this body has developed mechanisms to consult with civil society groups. She stresses the importance of effective mechanisms to ensure accountability and oversight in cases of police misconduct against marginalized racial and ethnic groups. She nevertheless noted concerns about the independence of the office, given its institutional location within the Ministry of the Interior. In addition, she noted that, while the complaints office works on issues that can disproportionately impact those from marginalized racial and ethnic groups, it does not have an explicit mandate to address racism. She strongly encourages Austria to ensure the independence and effectiveness of the Investigation and Complaints Office for Allegations of Police Ill-treatment and highlights the importance of ensuring that it is sufficiently sensitive to the racial dimensions of police misconduct.

50. The Special Rapporteur welcomes the information she received indicating that law enforcement officials are mandated to wear body cameras and that consideration has been given to related privacy concerns. Body cameras can play an important role in the monitoring and accountability of police conduct and can be useful in addressing racial profiling and the excessive use of force. The Special Rapporteur therefore encourages the consistent use of body cameras by all law enforcement officials in Austria. She also highlights the fact that body cameras have limitations and that their use should be implemented alongside broader measures to prevent, address and remedy police misconduct.

51. The Special Rapporteur also received concerning information regarding the presence of proponents of extremist ideologies, including neo-Nazi elements, within custodial settings in Austria. While comprehensive data are not publicly available, isolated cases, including incidents involving prison staff, suggest that manifestations of far-right ideologies occur within prisons. In such contexts, the presence of far-right extremist attitudes or networks may contribute to risks of racist violence, intimidation and unequal treatment within detention settings. The Special Rapporteur regrets the lack of disaggregated data on racist incidents, extremist affiliation and the experiences of detainees from marginalized racial and ethnic groups, which makes it difficult to fully assess the scale and nature of these risks. She stresses the importance of improved monitoring, data collection and targeted measures to address all forms of extremism, including far-right ideologies, within custodial environments.

4. Education

52. The Special Rapporteur received multiple reports of racism within Austrian schools affecting children of African descent and Jewish, Roma, Sinti and Muslim children. Manifestations of such racism include unequal treatment related to different elements of school life, such as grading and competitions, the inclusion of racist information in school curricula, racist bullying by students and inadequate responses from teachers and other school staff to such bullying. Furthermore, the Special Rapporteur received specific information about the segregation and mistreatment of Roma and Sinti children in educational institutions. She is concerned that these manifestations of racism are not limited to isolated incidents but may reflect broader structural inequalities within the Austrian education system and broader society that disproportionately affect children from marginalized racial and ethnic groups. The Special Rapporteur welcomes the fact that the School Education Act explicitly obliges schools to uphold equal treatment, respect the dignity of all pupils and promote a respectful and discrimination-free school climate. She also commends the federal

Department of Education for the steps it has taken to prevent and address manifestations of racism in schools, including the integration of the principles of equality, diversity and inclusive education into curricula at different stages of education, the dissemination to schools of circulars on equality and non-discrimination and the development of specific programmes to strengthen social competencies and respectful interaction among students. She is nevertheless concerned by reports that racism in schools continues and that, in some cases, inadequate responses by school authorities have contributed to a culture of impunity and a lack of effective protection and remedies for affected students. She welcomes the fact that the country's equality bodies have competences to step in when there are cases of racial discrimination within schools and that they have provided concrete support to affected students and parents. She was, however, concerned by reports that they cannot fulfil their full potential in this regard due to limitations on resources.

53. The Special Rapporteur also received information indicating that structural features of the education system, including early academic tracking, may disproportionately channel children from marginalized racial and ethnic groups, including migrants, into lower educational tracks, thereby limiting their future educational and professional opportunities. In addition, patterns of de facto segregation have been reported in some schools, where a high concentration of children from minority backgrounds can result in unequal access to resources and educational opportunities. Experiences of racism and exclusion in educational settings can have profound and lasting impacts on children, including on their mental health, sense of belonging, academic performance and future life opportunities. The Special Rapporteur therefore encourages Austria to continue and expand its work to fully and effectively implement the equality and non-discrimination principles enshrined in national and international legal frameworks.

54. As schools are both a reflection of broader societal attitudes and an important forum for preventing and addressing racism, the Special Rapporteur welcomes the fact that training is offered to teachers, including by civil society groups, on topics such as anti-racism, anti-Muslim racism, online hate speech and prejudice-conscious pedagogy. It is, however, concerning that such training courses are reportedly not mandatory and are therefore likely to be taken by those who are already conscious of issues relating to racism in schools. The Special Rapporteur emphasizes that teacher training on anti-racism, diversity and inclusive pedagogy should be systematic, mandatory and embedded in both initial teacher education and continuous professional development.

55. In addition, the Special Rapporteur received reports of curricula being highly Eurocentric, with limited reference to the legacies of the transatlantic slave trade and enslavement and the impact this has had on Africans and people of African descent around the world. There are also reportedly limited references to the histories and experiences of Roma and Sinti communities. The Special Rapporteur noted that the limited inclusion of the histories and contributions of marginalized racial and ethnic groups may contribute to their marginalization and reinforce dominant narratives that overlook the historical roots and contemporary manifestations of racism. She recalls that education systems play a critical role in addressing prejudice, and that gaps in curricula risk perpetuating stereotypes and hindering efforts to foster critical thinking about racism, colonialism and their lasting impacts. In this regard, the Special Rapporteur welcomes the steps taken by the federal Department of Education and other government bodies to develop inclusive curricula and educational institutions that support diversity and multiculturalism. These include the integration of the principles of equality, diversity and inclusive education into curricula at all education levels, the introduction of "Media and Democracy" as a subject in upper secondary academic schools, and the promotion of discrimination-critical and reflective pedagogical practices. Nevertheless, reported gaps in inclusive curricula have shrunk the space for openness to critically analyse the history of racism and discrimination. The Special Rapporteur highlights the fact that children may experience intersecting forms of discrimination based on race, religion, gender and socioeconomic status, which require targeted and holistic responses. The lack of disaggregated data on educational outcomes further limits the ability to fully assess disparities and to design targeted policy responses. She encourages Austria to continue and expand its efforts to develop anti-racism curricula.

56. States have an obligation to ensure that education systems are free from discrimination and promote equality in line with international human rights standards. The Special Rapporteur encourages Austria to continue and strengthen its ongoing efforts to ensure inclusive, equitable and anti-racist education systems, including through additional curriculum development, mandatory teacher training, improved monitoring of racist incidents and increased targeted support for affected students.

5. Labour market discrimination

57. Discrimination in the Austrian labour market, particularly affecting people of African descent, Muslims and Roma and Sinti persons, is of concern to the Special Rapporteur. During her visit, she heard from officials about how correspondence testing studies have demonstrated systemic barriers in hiring, with applicants perceived as “non-Austrian” repeatedly being disadvantaged in recruitment processes. These findings point to patterns of differential treatment at the earliest stages of labour market access and suggest structural discrimination. The Special Rapporteur also heard that many candidates from marginalized racial and ethnic groups are overqualified for the roles that they can secure within the workforce and feel that they must work significantly harder to be taken seriously and afforded equal opportunities for retention and promotion.

58. In 2023, the European Union Agency for Fundamental Rights reported that 59% of people of African descent surveyed in Austria experienced discrimination in the job market when looking for work and 45% reported discrimination in their current employment. These figures are substantially higher than the European Union average.¹³ Similarly, 52% of Muslim respondents to the most recent survey of the Agency in Austria reported experiencing discrimination in the workplace.¹⁴ The Special Rapporteur noted with particular concern information indicating that Muslim women, especially those who wear headscarves, may experience intersecting forms of racial and gender-based discrimination, which can significantly restrict their access to employment and career advancement.

59. The Special Rapporteur welcomes the recognition of workplace discrimination by government officials at the federal and Länder levels, as well as the important work of equality bodies in addressing such issues. However, she emphasizes that addressing labour market discrimination requires a comprehensive approach that goes beyond formal legal protections. This includes proactive measures to promote diversity and inclusion, strengthen enforcement of anti-discrimination legislation, improve access to remedies, and address structural barriers that limit equal participation in the labour market.

60. The Special Rapporteur further highlights that the lack of disaggregated data on employment outcomes limits the ability to fully assess the extent and nature of racial disparities in the labour market. She recalls that States have an obligation to ensure equality in employment and occupation and encourages Austria to strengthen its efforts to combat racial discrimination in the labour market, including through targeted policies, effective monitoring and sustained engagement with affected communities.

6. Adequate housing

61. The Special Rapporteur was shocked by the findings of a 2023 study commissioned by the Ombud for Equal Treatment, which used two fictitious profiles: one that was likely to be perceived as having an “Austrian-sounding name” and one that was likely to be perceived as having a “Muslim/foreign-sounding” name. Both had identical, strong financial and employment qualifications. The results showed a stark disparity in access to apartment viewings: the first fictitious applicant received an appointment in 100% of cases, while the second received an appointment in only 50% of cases. These findings point to clear and systemic discrimination at the initial stages of access to housing and suggest that racial and ethnic bias plays a significant role in decision-making processes within the private market. This study mirrors the findings of the European Union Agency for Fundamental Rights, which indicate that Austria has among the highest reported levels of housing discrimination

¹³ European Union Agency for Fundamental Rights, *Being Black in the EU*.

¹⁴ European Union Agency for Fundamental Rights, *Being Muslim in the EU*.

affecting Muslims and people of African descent among the European Union countries surveyed.¹⁵

62. The Special Rapporteur is concerned that such discrimination is not limited to access to viewings, but may persist throughout the housing process, including in rental negotiations, contract conditions and security of tenure. She also received information suggesting that individuals from marginalized racial and ethnic groups may face barriers in accessing affordable and quality housing, which can contribute to patterns of spatial segregation and unequal living conditions. Discrimination in housing has far-reaching consequences, as it affects not only living standards but also access to employment, education and essential services, thereby reinforcing broader patterns of social and economic exclusion.

63. The Special Rapporteur welcomes the awareness shown by multiple government officials of racism in access to housing, particularly within the private housing market, as well as the work of equality bodies to implement relevant provisions of the Equal Treatment Act. However, she emphasizes that addressing housing discrimination requires strengthened enforcement mechanisms, improved access to remedies for victims and proactive measures to prevent discriminatory practices, including through monitoring, testing and engagement with landlords and real estate actors. She further notes that the lack of disaggregated data on housing outcomes limits the ability to fully assess disparities and to design targeted policy responses. She therefore encourages Austria to strengthen its efforts to ensure equal access to adequate housing for all.

7. Healthcare

64. The Special Rapporteur received reports of racial bias within the healthcare system affecting Muslims, Roma and Sinti communities and people of African descent. She was informed of instances in which healthcare providers displayed discriminatory attitudes, including towards children, and in which patients did not receive adequate or appropriate care due to bias related to skin colour or perceived ethnic or religious background. The Special Rapporteur is concerned that such experiences may reflect broader structural inequalities within the healthcare system, including implicit bias and gaps in culturally competent care. She is concerned by findings of the European Union Agency for Fundamental Rights indicating comparatively high levels of discrimination in access to healthcare reported by people of African descent and Muslims in Austria.¹⁶ In addition, she received reports of deteriorating health conditions among Roma and Sinti women, linked to barriers in accessing timely and appropriate healthcare services.

65. The Special Rapporteur is concerned that discrimination in healthcare may manifest not only in interpersonal interactions but also in structural barriers, including language obstacles, lack of culturally appropriate services, limited outreach to marginalized communities and strong prejudices. Such barriers can lead to delayed treatment, reduced trust in healthcare providers and poorer health outcomes. Discrimination in healthcare settings can also intersect with other forms of disadvantage, including gender and socioeconomic status, further compounding inequalities.

66. In this respect, the Special Rapporteur welcomes information received about measures taken by Länder governments to help signpost individuals to healthcare services, as well as federal initiatives, such as multilingual health information materials and targeted outreach to Roma women. While commending these efforts, she considers that further targeted and systemic measures are required to address disparities in access and outcomes. She emphasizes the importance of mandatory anti-racism and cultural competence training for all medical and support staff, as well as the integration of diversity and non-discrimination considerations into formal medical education. The Special Rapporteur also encourages Austria to conduct strengthened monitoring of any forms of racial discrimination in healthcare access and outcomes, including through improved disaggregated data collection, to support evidence-based and inclusive health policies.

¹⁵ Ibid. and European Union Agency for Fundamental Rights Agency, *Being Black in the EU*.

¹⁶ European Union Agency for Fundamental Rights Agency, *Being Black in the EU* and *Being Muslim in the EU*.

V. Conclusions and recommendations

67. The Special Rapporteur recognizes that Austria has in place legal protections against discrimination. She also took note of the work of many federal and Länder entities on addressing different elements of racial discrimination. Nevertheless, during her visit, the Special Rapporteur received multiple reports of deeply entrenched and pervasive racial hierarchies within Austrian society. She was struck by the acceptability of ethno-nationalistic notions that fundamentally link being Austrian with being white, despite racial and ethnic diversity being a long-standing feature of, and strength within, Austrian society. In addition, the Special Rapporteur was concerned by barriers to societal dialogues that fully acknowledge racism and its consequences on racially and ethnically marginalized groups. She remains concerned that such attitudes and biases are leading to the harmful othering of those from marginalized racial and ethnic groups. This has seemingly contributed to a surge in racism and exclusion, including structural and institutional forms of such discrimination.

68. Furthermore, the Special Rapporteur heard from many stakeholders that there has been a recent resurgence of right-wing populism and an increase in its political representation at the federal and Länder levels. She is deeply concerned that this growth in right-wing populism will exacerbate already high levels of racial discrimination within Austria.

69. The Special Rapporteur is of the opinion that several factors, including a lack of racially and ethnically disaggregated data, the absence of a comprehensive and shared definition of racial discrimination and inadequate racial and ethnic representation in government and legislative bodies, are impeding the approach of Austria to combating racial discrimination. The Special Rapporteur gained the impression that there is a focus on reacting to individual complaints of racial discrimination, sometimes at the expense of preventive work and addressing structural forms of racism. Linked to this concern, the Special Rapporteur found the landscape of equality bodies to be highly complex, risking fragmentation and duplication of work, as well as confusion among those seeking remedy. She received information about increasing austerity in public spending, which underscores the need to further develop a targeted and efficient approach to achieving substantive racial equality.

70. To achieve this, the Special Rapporteur recommends that the Government of Austria:

- (a) Simplify and harmonize its non-discrimination and equality provisions and ensure comprehensive and equal protection against all grounds for discrimination, across all societal domains and within all Länder;
- (b) Ensure that the equality and non-discrimination legal framework includes the specific recognition and prohibition of multiple and intersectional forms of discrimination;
- (c) Undertake a process of reviewing, consolidating and strengthening the mandates of the different equality bodies at the federal and Länder levels;
- (d) Develop and publish an overarching and comprehensive national action plan on all forms of racism. This action plan should offer a shared definition of racism and racial discrimination that captures the process of racialization that is inherent to racism and racial discrimination and that includes intersectional, systemic and structural racism;
- (e) Consider the development of comprehensive special measures, in line with the obligations of Austria as a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination, to more effectively ensure racial representation across society and to advance substantive racial equality;
- (f) Ensure the development of nationally appropriate systems for the collection and analysis of racially disaggregated data, guided by the principles of self-identification and informed consent, alignment with human rights standards and

guidance, and the full and effective participation of persons and communities. Such data collection should include information about the situation of Roma persons, Jewish people, Africans and people of African descent, Muslims, Arabs and people of Arab descent and Palestinians. Data collection systems should seek to capture and monitor systemic and intersectional forms of discrimination. The Government should ensure that efforts to develop racially and ethnically disaggregated data include education, employment, housing, healthcare and the labour market;

(g) Evaluate the impact of all proposed and implemented funding cuts on those with experiences of racial and intersectional forms of discrimination and prioritize anti-racial discrimination measures within public spending as much as possible;

(h) Step up efforts to effectively implement the National Strategy for the Inclusion of Roma, ensuring an intersectional approach to addressing anti-Roma racism in order to effectively address the overlapping and compounding vulnerabilities experienced by women, older persons, persons with disabilities and/or migrants from Roma and Sinti communities;

(i) Continue close and ongoing cooperation and partnership with Jewish communities to ensure the effective implementation of the National Strategy against Antisemitism 2.0 and related legal and policy standards, including the Package of Measures against Antisemitism and Antisemitic Disinformation in the Digital Sphere and the Austrian-Jewish Cultural Heritage Act;

(j) Step up efforts to acknowledge and address the racial discrimination experienced by Africans and people of African descent, including through the development of a comprehensive strategy to prevent, address and remedy anti-Black racism in Austria that includes whole-of-government and whole-of-society approaches to addressing this scourge;

(k) Develop and implement a comprehensive strategy to address Islamophobia and related forms of racism that includes whole-of-government and whole-of-society measures to address racial stereotypes and misunderstandings about Islam and Muslims. The strategy should include steps to ensure accountability for all manifestations of Islamophobia and related forms of racism, including those perpetrated by both State and private actors;

(l) Halt the implementation of amendments to the School Education Act that mandate a headscarf ban for girls under 14 in order to assess those provisions in the light of constitutional and international human rights standards;

(m) Ensure more comprehensive enforcement of the legal provisions in place to address neo-Nazi groups, including the Prohibition Act, and implement article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, implement complementary non-legal measures, including comprehensive historical and anti-racism educational provisions, early interventions and programmes to combat extremism;

(n) Step up the implementation and enforcement of the relevant legal standards on hate speech and further expand non-legal measures, such as “counter speech”, increasing digital literacy, training and awareness-raising programmes and psychosocial support for those who are impacted by hate speech;

(o) Continue and expand the work of the Ministry of the Interior on a working group to develop recommendations to put a stop to racial profiling within law enforcement agencies, including the working group’s active engagement with civil society organizations;

(p) Develop a national action plan to prevent, address and remedy racial profiling and consider including elements on internal and external accountability, awareness-raising and training, community engagement to build and maintain trust with affected communities and the collection of disaggregated data on incidents of racial profiling;

(q) Continue and expand the work of the recently established Investigation and Complaints Office for Allegations of Police Ill-treatment to prevent and address overpolicing, the excessive use of force and surveillance by law enforcement officials of those from marginalized racial and ethnic groups;

(r) Ensure the independence of the Investigation and Complaints Office for Allegations of Police Ill-treatment and that it is sufficiently sensitive to the racial dimensions of many forms of police misconduct;

(s) Ensure the consistent use of body cameras by law enforcement officers to improve monitoring and accountability, making sure that the necessary privacy safeguards are in place and that the use of body cameras is complemented by broader measures to prevent, address and remedy police misconduct;

(t) Improve monitoring, data collection and targeted measures to address all forms of extremism, including neo-Nazi and other far-right ideologies, within custodial environments;

(u) Ensure that adequate resources are provided for the work of various equality bodies to address issues of non-discrimination in schools and other educational settings;

(v) Strengthen and expand efforts to ensure inclusive, equitable and anti-racist education systems, including through curriculum reform, mandatory teacher training, improved monitoring of racist incidents and targeted support for affected students;

(w) Develop and implement proactive measures to promote diversity and inclusion, strengthen enforcement of anti-discrimination legislation, improve access to remedies, and address structural barriers that limit equal participation in the labour market;

(x) Step up efforts to address housing discrimination through strengthened enforcement mechanisms, improved access to remedies for victims and proactive measures to prevent discriminatory practices, including through monitoring, testing and engagement with landlords and real estate actors;

(y) Continue and expand efforts to address racial discrimination in healthcare, including through mandatory anti-racism and cultural competence training for all medical and support staff and the integration of diversity and non-discrimination into formal medical education;

(z) Step up efforts to engage with social media companies to regulate and combat hate speech and dissemination of misinformation and disinformation impacting racially and ethnically marginalized groups.
