

# AUSTRIA

## BIAS-MOTIVATED SPEECH

Online hate speech against LGBTQIA+ people continued to be a serious issue this year. The implementation of the 2021 [legislative package](#) against online hate speech remained flawed.

In March, the head of FPÖ in Vienna, Dominik Nepp [called](#) for a ban on drag story time events and an end to “this transgender madness”. Nepp [called](#) the events “sexualisation propaganda”. All of the related motions were [rejected](#) in an FPÖ special state parliament vote on the issue (see more under Bias-motivated violence, Equality and non-discrimination, and Freedom of expression).

Also in March, Nepp denied the existence of intersex people at a [Vienna City Government Meeting](#), used pathologising language and mocked transgender people: “Today I am female, tomorrow I am intersex, and the day after...”

## BIAS-MOTIVATED VIOLENCE

Hate crimes [continued](#) to be a serious issue this year, with at least one homophobic incident being [reported](#) every single day. The figures are similar for gender-based crimes, which can include transphobic crimes as well. The Ministry of Interior’s [annual hate crime report](#) shows 373 attacks based on the victim’s sexual orientation and 350 attacks based on sex/gender identity. Since 2022 the gender marker inter/divers have been added to the report, even though it’s still not being added to the law.

In light of these numbers, the Ministry of Social Affairs [put](#) in place over 250,000 Euro funding this year to support the [queerfacts.at](#) educational platform. Nevertheless, there is still no national plan in place to [tackle](#) anti-LGBTI hate crimes. SPÖ [called](#) for a national plan and stronger measures. In June, the Ministry of Justice [hosted](#) a roundtable discussion on anti-LGBTI hate crimes, which had first been announced a year earlier.

## BODILY INTEGRITY

The process of banning so-called ‘conversion practices’ [continued](#) to be [stalled](#) this year due to the ÖVP’s [lack of support](#), despite the National Council calling for legal reform twice over the past four years.

During Pride month, the ÖVP proposed that there should be a ban on ‘conversion practice’ for minors but wanted to specifically exclude trans and intersex people. The Green Party, SPÖ, NEOS and civil society organisations objected.

The proposed [ban](#) on non-consensual and medically unnecessary treatments performed on intersex children also [continued](#) to be [stalled](#) this year. Over 70 civil society organisations [signed](#) an [open letter](#) to the parliament and a related [petition](#) collected over 7,000 signatures to demand a ban. At the [Vienna Pride Conference](#), a ÖVP member of the national council publicly said that politicians cannot decide on this matter; only doctors can.

## EDUCATION

VIMÖ, together with the Austrian midwife organisation began a [workshop series](#) in Vienna and Linz to train midwives on intersex issues.

## EQUALITY AND NON-DISCRIMINATION

In July, the Equal Treatment Ombudsman [called](#) for comprehensive legislation that would protect LGBTI people in all areas of life. Civil society organisations [launched](#) the [#schutzfüralle](#) [Eng: Protection for All] campaign, published a [position paper](#), and issued a [petition](#) calling to close the gaps in protection against discrimination.

Following a 2022 [announcement](#), a cross-party LGBTIQ Intergroup was [formed](#) in the Parliament in [January](#) this year, with representatives from all parties, except for the far-right FPÖ (Freedom Party). The Intergroup [hosted](#) its first event in parliament in April, where a drag queen also spoke (see more under Bias-motivated Speech).

The Social and Health Ministry [presented](#) the first Austrian LGBTIQ+ health report in June, finding that 89% of respondents had experienced discrimination in the past two years and highlighted that this has a negative impact on their health status.

A grey rainbow statue to commemorate LGBT victims of Nazi persecution was [installed](#) in Vienna in June. All judgements during the Second Republic which unjustly condemned LGBTIQ people because of consensual sexual behaviour will be annulled and they will receive [economic reparations](#). An apology by the parliament to the victims remains outstanding.

Several actors in the Catholic Church in Austria [affirmed](#) that LGBTIQ+ people are treated with respect, with several events and services catering to the community.

## FAMILY

In December, a court recognised automatic co-parenthood of same-sex parents who are married or in a registered partnership. In other cases, future parents have to notify the registry. The ruling includes children of rainbow families conceived via home insemination. The ruling will apply as of 1 January 2024.

## FOREIGN POLICY

After weeks of debate, Austria joined the European Commission's proceedings against Hungary in late March and expressed a firm stance against its anti-LGBT propaganda law. The Austrian Embassy in Tehran, Iran outed an Iranian citizen living in Austria. The Ombudsperson requested a formal apology from the Embassy.

## FREEDOM OF ASSEMBLY

The 27th Vienna Pride was held on 18 June and was attended by roughly 300,000 people. Three young men, two of whom are minors, were arrested ahead of the Pride march for allegedly planning a bomb attack. The police had apparently known about the planned attack since spring.

## FREEDOM OF EXPRESSION

Drag Queen Candy Licious shared that her reading events for children now only happen with police protection in place. A reading in March had 15 police officers present.

FPÖ's attempts to ban drag story time and threats by right-wing groups to attack readings for children led to a demonstration against drag story time and a counter-demonstration for LGBTIQ-visibility outside Vienna's Türkis Rosa Lila Villa during a reading event. Several politicians went to the scene and spoke out against anti-LGBTI hate.

In October, FPÖ pushed the Vienna city council to cancel yearly funding to Türkis Rosa Lila Villa after the Palestine flag was hung by an occupant of the building. On a local level, FPÖ pushed for tearing down the centre and building social housing on the site. Both attempts failed.

## HEALTH

In January, the right-wing FPÖ called for an opinion of the Ministry of Health on puberty blockers to trans minors. In April, the Health Minister stated that the medication was provided as set out by the Ministry's healthcare regulations. FPÖ's motion was rejected in a vote.

The Social and Health Ministry's LGBTIQ+ health report found that LGBTIQ+ people are more likely to report poor health status and mental health issues than the general population. Following up on the results, the Ministry published two brochures to support LGBTIQ+ persons, particularly trans and intersex people, and healthcare workers.

In June, TransX provided training on gender-affirming care to resident doctors in Graz. It is the fourth time this training has taken place.

## INSTITUTIONAL SUPPORT

The Ministry of Social Affairs allocated over 250,000 EURO to Queerfacts, an educational project conducting workshops at schools.

For the first time, the Parliament was lit up in rainbow colours during Pride week in June.

## LEGAL GENDER RECOGNITION

Vienna's Regional Administrative Court ruled in four cases that alternative gender markers should be available to persons who are not intersex. Additionally, in one case, it ruled that the person's self-declaration was sufficient to change the gender marker. The ruling was welcomed by civil society. The Ministry of Interior appealed against all four decisions to the Supreme Administrative Court.

## SEXUAL AND REPRODUCTIVE RIGHTS

Abortion became a topic of debate with the closure of the last clinic providing it in Vorarlberg. In October, the regional government of Vorarlberg authorised one hospital to provide abortions, so the service is once again available in the area. However, many Austrian regions are still underserved and require patients to fund the treatment.

## SOCIAL SECURITY AND SOCIAL PROTECTION

A new community centre for LGBTQIA people was opened in Graz.

Q:WIR, a centre for LGBTIQ youth (ages 13-27), was opened in Vienna's 16th district. Furthermore, Austria's first queer education centre opened in the 6th district.



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