



Austria Report

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Sustainable Governance Indicators 2022

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Executive Summary

With regard to some of the established indicators of political stability, Austrian politics has been marked by major turbulence recently. As in most other countries, this can be partially attributed to the complex and unprecedented challenges that arose due to the coronavirus pandemic. However, other developments related more specifically to Austrian domestic politics. After the spectacular presidential elections of 2016, the formation of an ÖVP-FPÖ government in the aftermath of the 2017 parliamentary election and its early implosion in mid-2019 following “Ibizagate,” the 2019 election – which led to the formation in January 2020 of Austria’s first ÖVP-Green federal government – seemed to signal that the country had finally come to a rest.

However, while the ÖVP-Green government remains in office at the time of writing, the previously unchallenged, key political actor of the recent revolution in Austrian electoral politics – Chancellor and ÖVP party leader Sebastian Kurz – left the political stage in late 2021. The spectacular nature of these developments is reflected in the unusual frequency of change in the office of chancellor. Though 2021 was not an election year in Austria, the country nevertheless witnessed three different incumbents that year: Sebastian Kurz (until October 2021), Alexander Schallenberg (October–December 2021) and Karl Nehammer (since December 2021), all representing the ÖVP. Accounting for the non-party caretaker chancellorship of Brigitte Bierlein (from mid-2019 to early 2020), the country has had no less than six different chancellors in just five-and-a-half years (excluding two interim caretaker chancellors, Reinhold Mitterlehner in 2016 and Hartwig Löger in 2019).

Even in an era of the advanced personalization of politics, public policies in parliamentary democracies tend to reflect the party complexion of the government coalition rather than the political will of any individual leader. The period 2020 through to early 2022 was, unsurprisingly, shaped by the joint political agenda of the ÖVP-Green government. That is, in terms of public policy, the replacement of the FPÖ by the Greens as the ÖVP’s junior coalition partner had, overall, a stronger impact on the nature of Austrian public policy than the continuation of the Kurz chancellorship until late 2021. This can also be explained by the compartmentalized structure of the Austrian political executive, in which individual ministers (in particular those not belonging to the chancellor’s party) enjoy considerable leeway. Despite the

ÖVP's dominant position in this governing coalition, the "Green factor" can be clearly identified in several areas, ranging from environmental and transport policies to tax reform. This is not to deny that in several areas, relating to immigration, developmental aid and gender in particular, several established Green positions remained unrealized. In addition, the weakening of the trade unions and other organizations related to labor, which had become a hallmark of the ÖVP-FPÖ government, continued into the third decade of the 21st century. Further, and perhaps surprisingly, Austria remained an awkward partner at the European level even after the FPÖ's fall from power, although some improvements in that position have been noticed recently.

The "Ibiza affair" of 2019, and the successive developments (which eventually led to the resignation of Chancellor Kurz from all political offices in late 2021), marked a major blow to the rule of law in Austria. However, with hindsight these episodes also testify to the limits to which (proven or alleged) violations of the law are tolerated by other political players and Austrian society at large. While Kurz had long been one of the most popular politicians in the country's recent political history, a majority of Austrians were eventually in favor of seeing him leave.

The coronavirus pandemic that broke in early 2020 became both an exceptional burden to the government and society, and a major catalyst for innovation and change. On the one hand, the series of four "lockdowns" (between early 2020 and late 2021), and plans to introduce mandatory vaccinations revealed in late 2021, not only turned the FPÖ into an increasingly isolated "fundamental opposition party," but also gave rise to different forms of social protest, which had previously not been a defining feature of the country's political history. More than ever before, the effects of the propagandistic nature of social media and other new information channels, not to say pure misinformation, which contributed to the rise of social unrest in certain strata of the population, became increasingly evident. Further, the pandemic also became a testing ground for the government's communication policies, which increasingly failed to satisfy citizens. It became clear that the federal nature of the distribution of powers in Austria did not contribute to the efficient management of the crisis in the country. On the other hand, the pandemic became a catalyst for an entirely new chapter in government-expert relations and, more importantly, boosted wide-ranging digitalization efforts, where Austria's government is seriously lagging behind.

Key Challenges

It is a popular assumption that centralization is likely to increase the strategic capacity of governments, and lead to better and more sustainable policies. This option has been highlighted in previous SGI country reports for Austria, and the coronavirus pandemic has intensified calls for more centralized structures and coherent nationwide policies. However, a closer look suggests that there might not always be a direct correlation between more centralized structures and better policies. For one thing, some of the traditionally most centralized democratic regimes, such as the United Kingdom, can hardly be seen as a role model (anymore). In addition, Austria became a prime example of personalization-driven de facto centralization in the absence of constitutional reform, which was however more a showcase of successful power-seeking than of particularly successful policymaking. The leader-centered, control-seeking “System Kurz,” which emerged in 2017, finally failed in late 2021.

The recent improvements in terms of sustainable policies documented in this report suggest that further improvements should be possible within the constitutional/institutional boundaries of the extant regime. Sustainable policies are chiefly dependent on the political actors’ agenda and their willingness to stick to their pledges, and less so on any particular institutional devices. Political parties committed to sustainable policies and international cooperation (e.g., the Greens) are more likely to support such policies when in government than parties with a backward-looking and nationalist agenda (e.g., the FPÖ).

That said, there is obviously some room for institutional reform. To the extent that policies are of a cross-departmental nature, the creation of additional interministerial decision-making structures (exemplified in the area of youth policies) could well have beneficial effects. The intra-power structure of the Austrian federation will also have to be sorted out, allowing for swifter decision-making and more coherent policies.

Beyond possible institutional reform in the narrower sense, a key factor determining the fate of sustainable policies in Austria will be effective government communication – effective less in terms of securing power and

more in terms of generating genuine trust. As political communication is a two-sided phenomenon, successful government communication will depend on citizens' ability and willingness to listen and make sense of what decision-makers have to say.

This implies that one of the areas in need of reform is civic education, with the overarching aim of improving the state of political knowledge among the resident population and fostering genuine interest in politics. Furthermore, propaganda and pure misinformation – mostly in social media, but also in more traditional media channels – has to be targeted more directly by future policies, although always within the boundaries of freedom of speech. A more particular topic worth addressing by new civic education programs is the concept of sustainability, in particular with regard to the environment. There is widespread confusion in Austria about extended outdoor activities (hiking and skiing in particular), and nature preservation/conservation and related ecological behaviors. Yet another key issue concerns the idea of democracy among Austrians, which is strikingly exclusive, as a recent public opinion survey found. A large majority of Austrian citizens continue to be in favor of keeping the acquisition of Austrian nationality (a prerequisite for full political participation rights) difficult and demanding, a majority of Austrians are also strongly against granting equal political rights to long-term residents from other EU member states, and about 20% of the youngest respondents are even in favor of depriving older citizens of their right to vote. These findings alone strongly suggest that immigration and inclusion will be major issues to be sorted out on the country's way to the next level of democratic and sustainable governance. The third finding suggests that future governments will also have to be careful not to further endanger peace, and respectful of relations between different generations by using an ever growing share of taxes to finance pensions at the expense of education and other key fields of public policy.

To the extent that Austria's future is believed to be tied to representative democracy – for which there is good reason, not least because many Austrians have clear expectations regarding the typical policy effects of advanced forms of Swiss-style direct democracy – an extension of intra-party democracy (in contrast to strictly leader-centered intra-party power structures) will be needed. Guaranteeing a reasonable level of media pluralism, and defending “critical journalism” against “infotainment” and populist agitation will have to be high on the agenda of future governments and decision-makers. For all the well-known difficulties involved, this will also have to include attempts to establish a viable regime for controlling violations of human dignity in social media.

Last but not least, Austrian governments and society at large will be kept busy by the coronavirus pandemic for many months, if not years, to come. Austria

was the first European country to announce the introduction of a general mandatory vaccination regime in November 2021. However, the medical, judicial, ethical and social issues involved may have been underestimated. At the time of writing, COVID-19 seemed set to remain a major catalyst for growing public distrust in government, as well as social unrest and divide.

Citation:

Helms, Ludger & David Wineroither (Hrsg.): "Die österreichische Demokratie im Vergleich." 2. Auflage. Baden-Baden: Nomos 2017.

Helms, Ludger, Warum der Parlamentarismus nicht ausgespielt hat, in: Theo Öhlinger & Klaus Poier (Hrsg.), Direkte Demokratie und Parlamentarismus: Wie kommen wir zu den besten Entscheidungen?, Wien: Böhlau, 2015, S. 135-151.

<https://www.derstandard.at/story/2000131749121/umfrage-jeder-elfte-wuerde-alte-menschen-vom-wahlrecht-ausschliessen>

Party Polarization

According to data from the WZB-based Manifesto Project, all major Austrian parties, except the Greens, have moved toward the left of the political spectrum over the past three or four years (having previously moved strongly to the right). This implies that the policy differences between the major parties remained largely unchanged.

However, a closer look reveals a more complex picture. Party polarization has changed in recent years, although not in a unilinear direction across different policy fields. The FPÖ – widely considered to be the prototype of a right-wing populist or even right-wing extremist party – has become more moderate in some fields (e.g., concerning its attitude toward Austria's EU membership), but not in others (e.g., the role and status of Islam in Austria). Over the course of the coronavirus pandemic, the FPÖ turned into a fiercely polarizing force, mobilizing street protests against the government's coronavirus policies. Under its leader Sebastian Kurz (elected in 2017), the ÖVP moved significantly to the right in some policy fields, aligning closely with established FPÖ policy stances, particularly on immigration issues. The political stances and rhetoric of the other parties has changed considerably less.

Recent parliamentary elections have underscored these ambiguous patterns of party (and electoral) polarization. In the 2019 elections, the ÖVP gained votes and seats, expanding its status as the largest party (which it has held since 2017). However, most of the ÖVP's gains came at the expense of its (former)

coalition partner, the FPÖ. The other big winner, the Greens, gained largely at the expense of the SPÖ and the Liste Pilz (a party of Green dissidents, which disappeared from parliament following the elections). That is, electoral volatility occurred almost exclusively within the center-right and center-left camps, rather than across the political spectrum.

The 2019 parliamentary election eventually led to the formation of a genuinely new government, the first ÖVP-Green federal government in the country's history. While the formation of this government testifies to the parties' willingness and ability to set aside polarizing strategies in order to form a viable governing coalition, it is still true that wide-ranging policy compromises between left-wing and center/right-wing parties have become more difficult to achieve than in the past. The coronavirus pandemic initially generated a "rally around the flag" effect, marked by a notable willingness among opposition parties (in particular the SPÖ) to support government policies. However, this effect withered as the pandemic wore on. (Score: 7)

Citation:

Eberl, Jakob-Moritz, Lena Maria Huber & Carolina Plescia (2020) A tale of firsts: the 2019 Austrian snap election, *West European Politics*, 43:6, 1350-1363, DOI: 10.1080/01402382.2020.1717836

[file:///C:/Users/c4021008/Downloads/plot%20\(1\).pdf](file:///C:/Users/c4021008/Downloads/plot%20(1).pdf)

<http://library.fes.de/pdf-files/id/ipa/15698.pdf>

Jenny, Marcelo/Müller, Wolfgang C., Dynamik der parlamentarischen Opposition in der Corona-Krise, Blog 106, Universität Wien, <https://viecer.univie.ac.at/corona-blog/corona-blog-beitraege/blog106/>

Sustainable Policies

I. Economic Policies

Economy

Economic Policy
Score: 7

The Austrian economic situation remains within the general European context, despite significantly greater political uncertainty. The former government, a coalition between the center-right ÖVP and the right-wing populist FPÖ, with a stable parliamentary majority, initiated some (neo-)liberal policies, such as a (comparatively) moderate liberalization of working time regulations. Those steps did not have much time to significantly impact on the country's economic performance before the center-right coalition collapsed in early summer 2019. Following the coalition's collapse, the non-partisan/expert government – appointed by the head of state on 3 June 2019 – refrained from formulating any specific economic policies.

The new ÖVP-Green government, which emerged from the September 2019 parliamentary election and took office on 7 January 2020, presented a complex governing program, containing several major economic policy reforms. However, as the coronavirus pandemic, which hit the country hard, set in less than two months after the government's inauguration, economic policymaking since the beginning of 2020 has been in an almost permanent crisis mode. The government spent enormous sums of public money to support key industries, despite the recurrent coronavirus lockdowns (no less than four complete lockdowns by the end of 2021), and the question as to who will have to settle the bill has become a key political issue. Compared to the country's performance in previous global crises (e.g., the global financial crisis of 2008/9), Austria is no longer a so-called outperformer.

However, in line with the general European trend during the pandemic, Austria followed Keynesian policies to keep the country running, and its industries and businesses afloat. In addition, short-time labor regulations have been put in place to avoid mass-layoffs. This approach has been rather

successful in mitigating the effects of the crisis. In line with these policies, government debt has risen to around 83% of GDP, according to the latest official estimates by the Austrian national bank. But current debt is still below the level for 2015 and is predicted to fall significantly by the end of 2023 (back to around 78%, which is equivalent to numbers from the year 2017). In this regard, economic policies during the COVID-19 pandemic can be considered successful.

The government's long announced ecological tax reform, passed in late 2021, was greeted by a mix of praise and skepticism from most observers.

Citation:

<https://www.derstandard.at/story/2000123334475/oesterreich-von-wegen-gut-durch-die-krise>

Debt-to-GDP values: <https://www.oenb.at/isaweb/report.do?report=10.17>

Labor Markets

Labor Market
Policy
Score: 6

During the 18 months of the ÖVP-FPÖ coalition government (2017–19), some reforms were initiated that were seen by organized labor as a shift toward a pro-business, pro-market policy approach – directed against the tradition of Austrian neo-corporatism (“social partnership”). Labor argued that the government was attempting to reduce labor's veto power in various fields of social affairs. However, as unemployment figures before and after the coalition's collapse in May 2019 remained low due to an extended period of economic growth, any significant labor unrest has been avoided.

As in other countries, the coronavirus pandemic threw the Austrian labor market into turmoil, causing unemployment figures to rise to temporarily high levels by the end of 2020 / beginning of 2021. The ÖVP-Green government responded with a series of measures, most of which were designed to save jobs at any cost, though critics contended that the main focus of those financially costly governing activities had been on helping employers rather than employees through the crisis. Over the course of the pandemic, Austria – once a European top scorer in terms of employment figures – lost ranks and came to operate in the upper medium level of EU member states. At the end of 2021, the unemployment rate fell below 5% again.

Scattered survey research suggests that the ebbs and flows of the pandemic and the government's labor market policies did not bring much change for long-term unemployed people and their self-perceptions.

As 2021 drew to a close, it became increasingly likely that there would be a new “degressive” regime of unemployment loans (with higher payments in the

first months of unemployment) – a reform measure that had been on the government’s agenda since its inception. This may prove problematic given the large number of people temporarily laid off in Austria.

Citation:

Schönherr, Daniel, Zur Situation von Arbeitslosen in Österreich 2021, SORA, Vienna, August 2021, https://www.sora.at/fileadmin/downloads/projekte/2021_SORA_21086_Momentum_Studie_Arbeitslosigkeit_in_der_Coronapandemie.pdf

<https://www.wienerzeitung.at/nachrichten/politik/oesterreich/2126325-Alle-bis-auf-Neos-fuer-zu-Beginn-hoeheres-Arbeitslosengeld.html>

<https://kurier.at/mehr-platz/die-arbeitslosigkeit-ist-in-oesterreich-niedriger-als-vor-corona/401791631>

Taxes

Tax Policy
Score: 5

Overall, Austrian tax revenues are sufficient to provide the country with reasonable financial resources.

That said, Austrian tax policy is characterized by a significant bias, as the source of tax revenue is overwhelmingly skewed toward the personal incomes of the working population. As employees and self-employed individuals pay the maximum tax rate beginning at what is widely perceived to be a middle-class level of income, and the country lacks property and inheritance taxes, the system of taxation is unbalanced in terms of equity.

Austria’s overall 2021 score for competitiveness performance, according to the IMD database, was just as high as it had been in 2019, though the score for 2020 was the highest in many years. Importantly, Austria’s decent overall ranking (19th out of 62 countries for 2020) was in particular due to a high score for infrastructure (ranked 12th in 2021). This underscores the favorable assessment of the first indicator (above).

The steering function of the Austrian tax regime, its ability to incentivize changes in economic behavior to preserve the sustainability of natural resources and environmental quality, has long been notably weak. The ecological-social tax reform passed by the government in October 2021 marked the start of a new era (e.g., with the pricing of CO₂). But the effects on smaller incomes and the overall ecological effects expected remain limited. The newly established CO₂ pricing regime has been criticized for being too soft to make a real difference in terms of shaping citizens behavior and many issues remain untouched by the reform (e.g., a lower tax for diesel, which will be abolished in 2022 according to the government). It remains to be seen if the government is willing to make full use of its tax-based steering capacity in ecological terms. In other areas, much remains to be done.

Citation:

<https://worldcompetitiveness.imd.org/countryprofile/AT/wcy/#attractiveness>

<https://orf.at/stories/3231015/>

Tax privilege for diesel will fall by 2022:

<https://www.tt.com/artikel/30797854/dieselprievileg-in-oesterreich-wird-endgueltig-fallen-gelassen>

Budgets

Budgetary Policy
Score: 8

In the past, Austrian budgetary policies followed a biased Keynesian approach. In times of low economic growth, the government engaged in extra spending, which it regarded as an investment in fostering growth. In times of high growth, however, available funds were not used effectively to prepare the government for poorer times.

The two major political parties, the SPÖ and ÖVP, which formed a long series of grand coalitions together, seemed reluctant to confront their specific clienteles (farmers and public servants for the ÖVP, and unionized workers and retirees for the SPÖ) and advance policies that might undermine their particular interests. In 2009, Austria enacted the Federal Medium-Term Expenditure Framework Act (BFRG). The BFRG introduced binding ceilings on future expenditures four years in advance on the basis of five categories that correspond to the main functions of the federal government. The formation of the ÖVP-FPÖ government in 2017 led to further budget consolidation.

The coronavirus pandemic, or the public measures launched to cope with it, marked an unprecedented challenge for the federal budget. With a budget deficit of 10.1% for 2020, this score was considerably higher than for the crisis year of 2009 and marked the highest yearly deficit since 1945. However, it is largely agreed that Keynesian-style public spending during the pandemic was key to keeping many industries and businesses afloat, and has thus contributed significantly to minimizing the economic impacts of the crisis.

In November 2021, the governing parties passed the budget for 2022, which projected a reduction in the overall deficit to 2.3% of the gross national product and a slightly reduced debt quota of 79.1%. Due to its strong economy and the overall economic outlook, it is fair to assume that Austria will follow a path of debt reduction over the medium to long term.

Citation:

<https://www.diepresse.com/5909300/die-61-milliarden-euro-krise>

Research, Innovation and Infrastructure

R&I Policy
Score: 7

Public research in Austria is largely centered on universities. However, this is a challenging environment, as universities in some areas are struggling with too many students, while researchers are often overwhelmed by teaching obligations. The Austrian Science Fund (Fonds zur Förderung der Wissenschaftlichen Forschung) is tasked with coordinating academic research, but has achieved only partial success in performing this task. Research funded by private corporations has little tradition in Austria and things are unlikely to change fundamentally anytime soon. Thus, the deficiencies in public-funded research cannot be counterbalanced by privately funded operations.

Links between industry and science are sound, and a large share of public research is funded by industry. In contrast to basic research, industry-sponsored research is mostly aimed at the applied sciences and does not necessarily affect universities. Integration within international networks is strong, and a high share of the labor force is occupied in science and technology-related occupations. Business R&D is particularly strong in niche markets, often performed by specialized small and medium-sized enterprises (SMEs). Other pillars of Austrian business research include large companies, affiliates of foreign corporations and the manufacturing sector.

Because of the coronavirus pandemic, no reliable/strictly comparable figures are available for 2020 and 2021. However, estimates of the research quota (Forschungsquote) show an increase from 3.18% in 2019 to 3.23% in 2020. However, this rise reflected to a considerable extent the pandemic-induced economic downturn. Of the total spending on research in 2020 (about €12.1 billion), 42% (i.e., about €5 billion) came from Austrian companies; slightly more than 8% accounted for the indirect research and experimental development (R&D) support (Forschungsprämie).

The government's new research, technology and innovation (RTI) strategy, which was adopted late in 2020, marked a clear commitment on the part of the federal government to enhancing Austria's innovative capacity through science and research. The planned actions identify different ways to further increase the efficiency and output of research investments, and encompass all areas and stakeholders of Austria's innovation system. Digitalization is catching up, but is still fairly deficient in the public sector. The coronavirus crisis has highlighted serious deficits in the government's data and digitalization policies as important information about coronavirus-related problems was not available.

Citation:

https://www.statistik.at/web_de/statistiken/energie_umwelt_innovation_mobilitaet/forschung_und_innovati on/globalschaetzung_forschungsquote_jaehrlich/index.html

<https://www.fwf.ac.at/en/news-and-media-relations/news/detail/nid/20210119>

file:///C:/Users/c4021008/Downloads/FTI_pakt.pdf

<file:///C:/Users/c4021008/Downloads/%C3%96sterreichischer%20Forschungs-%20und%20Technologiebericht%202021.pdf>

Global Financial System

Stabilizing
Global Financial
System
Score: 7

As a member of the European Union, Austria's economy is closely linked to the other members of the European Single Market. Austria has nevertheless sought to defend special national interests against the implementation of general standards such as banking transparency. Therefore, Austria has increasingly come under pressure from the United States and fellow European Union members to open its financial system according to standards widely acknowledged and respected by most other financial actors worldwide. This eventually led to the decision to essentially abolish banking secrecy, for which Austria was long known.

While Austria had once been particularly engaged in the promotion and implementation of an EU-wide tax on financial transactions (originally established in 2013), the ÖVP-led governments since 2017 have obstructed any major progress in the implementation of this new tax. The latest episode in this vein was the rejection of a Portuguese initiative in February 2021. However, the government has been careful to avoid the impression that it is complacent about the challenges of an increasingly complex global financial system and aims to keep international cooperation on those issues at bay. Thus, in June 2021, Austria applied to host the European Union's new Anti-Money Laundering Authority (AMLA).

Austria continues to be an important market for money laundering and organized crime, especially for groups originating from southern Italy and Chechnya, which often assume the form of apparently legal activities. More emphasis needs to be put on preventing these activities.

Citation:

<https://www.handelsblatt.com/politik/international/abgabe-auf-aktien-und-derivate-oesterreich-stemmt-sich-gegen-portugals-plaene-fuer-eine-finanztransaktionssteuer-in-der-eu/26951180.html?ticket=ST-1399092-1Cqfu4mDx5b76s3zMnVK-cas01.example.org>

<https://orf.at/stories/3223106/>

<https://www.ilfattoquotidiano.it/longform/mafie-europa/mappa/austria/>
<https://www.laspia.it/mafia-in-austria-sequestrati-373-milioni-di-euro-frutto-di-riciclaggio/>

II. Social Policies

Education

Education Policy
Score: 6

The Austrian educational system does not perform to its potential. Considering Austria's economic position, the country should have a significantly higher number of tertiary graduates. The reason for this underperformance is seen by research institutions and experts such as the OECD to lie with the early division of children into multiple educational tracks, which takes place after the fourth grade. Despite the fact that there has been some improvement and partly as a result of the increasing role of the Fachhochschulen (universities of applied science, polytechnics), the Austrian educational system continues to be highly socially selective. Parents' social (and educational) status is highly reflected in students' ability to access higher education. This state of affairs violates the concept of social justice and fails to exploit the population's talents to the fullest.

A particular challenge is the significant number of children of first-generation immigrants who don't have German as their mother tongue. The Austrian educational system has not fully succeeded in guaranteeing that immigrant children after nine years of schooling are able to read and write German fluently. Perhaps ironically, the ÖVP and FPÖ, parties many of whose members hold strong anti-immigrant views, recently increased resources devoted to German language teaching for immigrants in Austrian elementary schools. Ultimately, this can be seen as a reflection of their strong commitment to the idea of an Austrian Leitkultur.

A recent survey (2021) – interviewing teachers, pupils and parents – that focused on the quality of teaching in schools and school infrastructure reported medium-level satisfaction scores (2.8 on a scale of one to five); only 9% of all respondents judged Austrian schools as “very good.” Another recent study (2021) involving teachers, pedagogues, pupils and parents reported that, while the coronavirus pandemic put a heavy burden on Austrian schools countrywide, 60% of respondents were convinced that the pandemic seemed likely to become a catalyst for structural reform, particularly digitalization reform. As the coronavirus pandemic wore on, there were increasing worries among experts and the general public that the government's handling of the

COVID-19 challenge in schools, with recurrent “emergency teaching programs” and “digital-only teaching,” risked increasing inequality in education and society in the longer run.

Inequity has long been an issue at the level of higher and, in particular, university education. Access to the Austrian university system is still highly unequal, with children of parents holding tertiary education degrees and/or having higher incomes enjoying better odds of graduating from university. The new university reform bill, passed by the ÖVP-Green governing majority in March 2021, increased social inequity in higher education. Among many other things, the law introduced a new regime, obliging students to gain a higher number of ECTS points per semester to continue their studies, which makes it increasingly difficult to combine university education with employment in Austria. There was little change in the perceived overall performance of Austrian universities between 2020 and early 2022, compared to 2017–19, as documented by international university rankings, such as the QC or Times Higher Education rankings.

The Austrian dual system of vocational training, involving simultaneous on-the-job training and classroom education, receives better marks. This system is primarily aimed at individuals who want to take up work at the age of 15, but is accessible up to the age of 18. For all its proven strengths, however, critics have pointed to several weaknesses, when compared with the neighboring German dual system, and the continued limited public appreciation of this educational sector.

Citation:

https://www.ots.at/presseaussendung/OTS_20210622_OTS0105/mega-bildungsstiftung-praesentiert-1-oesterreichischen-bildungsklima-index-anhaenge

<https://kurier.at/freizeit/leben-liebe-sex/die-corona-krise-wird-zum-turbo-fuer-die-schulreform/401184538>

<https://www.derstandard.at/story/2000127332990/auf-ab-und-quer-fuer-oesterreichische-universitaeten>

<https://www.derstandard.at/story/2000122916023/hat-oesterreich-tatsaechlich-das-beste-duale-ausbildungssystem>

Social Inclusion

Social Inclusion
Policy
Score: 7

Austria’s society and economy are rather inclusive, at least for those who are Austrian citizens. The Austrian labor market is nevertheless not as open as it could be. For those who are not fully integrated, especially younger, less-educated persons and foreigners (particularly non-EU citizens), times have become harder. Outside the labor market, unequal outcomes within the education system and the remnants of gender inequality perpetuate some

problems of inclusiveness. An additional challenge is the situation of migrants, political asylum-seekers and refugees. Austrian society and the political system are facing a very specific cross-pressure, combining the integration of newcomers while defending the prerogatives of Austrian citizens. While Austrians have repeatedly been found to be among the luckiest nations in Europe, various surveys have found migrants living in Austria to be strikingly unhappy. A survey among expats, published in 2021, found Vienna to be “the most unfriendly major city in the world” (largely confirming previous scores).

Income inequality has been largely persistent over the past decade, with a very moderate downward trend. The income differential between men and women has narrowed over the past decade, from nearly 25% to just under 20%, but continues to be above the EU average.

The number of people living in poverty has remained largely stable over the last few years, again with some (very) moderate improvements in the more recent past, and with an overall score well above the EU and OECD average. However, the exact effects of the coronavirus pandemic are difficult to judge. Surveys carried out in late 2020 reported a significant increase in subjective perceptions of possibly being affected by poverty in the near future. In the spring of 2021, the government committed to halving the number of people living in poverty, which includes a large number of single mothers and families with three or more children.

According to the Global Wealth Report 2021, wealth inequality is modest in Austria (the country’s Gini coefficient was 73.5 in 2020); it is higher in neighboring Germany and Switzerland (77.9 and 78.1 respectively) and lower than in many other European countries, including much of Scandinavia. The two decades from 2000 to 2020 saw a reduction in Austria’s Gini coefficient from 79.2 down to 73.5. Some doubts remain as to the adequate representation of high earners in that data, as other surveys point to more striking differences.

The representation of women in the national parliament (Nationalrat) has increased significantly in recent years, reaching an all-time high of 40.4% in late 2021 (as a result of the 2019 national election), up from 34.4% in the 2017 national election, and well above the EU average for 2020 (33%). Similar dynamics can be observed at the level of female ministers. Between January 2020 and January 2021, the ÖVP-Green government (Kurz II) was the first federal government that included more female than male members. The appointment of the first female federal chancellor (Brigitte Bierlein) in June 2019 is well worth noting in its own right. However, Bierlein did not emerge from the usual political competition, but was appointed by the federal president as the head of an all-expert caretaker government.

Other indicators (e.g., the percentage of women in leading corporate positions) demonstrate that gender equality continues to be a major challenge. In early 2021, women made up only 17 out of 225 directors (7.6%) on the boards of major Austrian companies listed on the ATX, meaning that Austria has the second highest proportion of male directors on the boards of major companies in Europe, after Luxembourg (4%).

Citation:

Poverty rates: <http://www.armutskonferenz.at/armut-in-oesterreich/aktuelle-armuts-und-verteilungszahlen.html>

<https://kurier.at/mehr-platz/wien-wurde-zur-unfreundlichsten-stadt-gewaehlt/401826088>

https://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales/gender-statistik/einkommen/index.html

https://www.ots.at/presseaussendung/OTS_20210429_OTS0079/mueckstein-zur-armutsbekaempfung-regierungsziel-armut-zu-halbieren-kann-nur-mit-umfassenden-massnahmen-in-allen-ressorts-gelingen

<http://docs.dpaq.de/17706-global-wealth-report-2021-en.pdf>

<https://www.wienerzeitung.at/nachrichten/wirtschaft/oesterreich/2095310-Ein-exklusiver-Club-Ein-Vorstand-ist-nach-wie-vor-maennlich.html>

Health

Health Policy
Score: 7

The Austrian healthcare system is based on several pillars. Public health insurance covers the basic needs of most persons living legally in Austria, while a competitive private health-insurance industry offers additional benefits. Inequalities in healthcare have arisen, particularly between those able to afford additional private insurance and those who cannot. Still, inequalities between ordinary and private patients are much less pronounced than, for example, in Germany. In contrast to Germany, civil servants pay into the same public health insurance system as everyone else. One element of the government's tax reform passed in late 2021 included a reduction in health insurance contributions for lower income earners (worth about €300 per year).

On 1 January 2020, as a part of an ongoing healthcare reform, the Austrian Health Insurance Fund (Die Österreichische Gesundheitskasse, ÖGK) was created by merging the nine former regional health insurance funds. The ÖGK is based in Vienna. With a volume of benefits of almost €15.3 billion and about 20,000 contractual partners, the Austrian Health Insurance Fund covers the healthcare services of about 7.2 million people. A key motive for this reform was cost reduction (which was mainly achieved by cutting personnel) to be accompanied by making more resources available to patients. However,

in early assessments of the ÖGK in 2021, it became clear that personnel costs had increased by more than 3%.

The development of the healthcare environment in Austria is largely in line with European trends. At the height of the coronavirus pandemic, the Austrian healthcare system was tested to its limits. A survey study found that public trust in the Austrian healthcare system decreased significantly over the first year of the pandemic (early 2020 through to early 2021), although less so than trust in the government. In the wake of the coronavirus pandemic, life expectancy for people living in Austria decreased slightly, but less dramatically than in several other countries.

Austria has remained a top scorer in terms of the number of physicians per 1,000 inhabitants. However, a recurrent issue in recent political debates on healthcare in Austria has been the shortage of physicians in some (non-urban) regions. More importantly, the share of physicians that were contracted partners of the public health insurance system (Kassenärzte) decreased (from 4,213 to 4,054) between 2010 and 2020. Meanwhile, the number of physicians servicing private patients (Wahlärzte) increased over the same period (from 2,119 to 2,653). As private patient physicians in general are not available to people without private healthcare insurance, and given population aging and therefore increased demand on healthcare services, this development provides a clear picture as to the overall quality of services provided (exclusively) by the public healthcare system.

Citation:

<https://viecer.univie.ac.at/corona-blog/corona-blog-beitraege/corona-dynamiken22/>

<https://orf.at/stories/3227790/>

<https://www.diepresse.com/5862134/mangel-an-kassenshyarzten-schieflage-verstarkt-sich>

Families

Family Policy
Score: 7

Both the federal government and mainstream public opinion accept that the model of a traditional nuclear family, defined by stable and clearly divided gender roles, cannot be seen as the reality for all families in the 21st century. Access for married women to the labor market is not seriously disputed. Nevertheless, the provision of childcare is still overwhelmingly left to families themselves, which de facto means that primary responsibility is left to mothers. Public childcare centers exist, but – despite some recent improvements – fail to satisfy demand. Childcare facilities for children aged one and under are often lacking outside the capital Vienna, while facilities for children aged two to five often do not manage to serve working parents' needs.

Thus, the disproportionate burden borne by women within Austrian families is seen as an aspect of de facto gender discrimination. In addition, Austrian welfare transfers for mothers are designed in a way that keeps mothers out of the labor market, an outcome that stands in stark contrast to those associated with policies promoting in kind allowances. In numerous cases, legal provisions for the protection of parents, such as job protection for parents switching to part-time work, are not respected by employers.

Recent developments in this area include an increase in the employment rate of mothers in Austria from 64.1% in 2010 to 67.7% in 2020, although this rate is considerably lower than that for employed fathers (nearly 91%). Moreover, in 2020, 72.3% of all employed women with at least one child worked part time, while only 7.3% of fathers worked part time. In 2020, nearly 91% of all employed single parents were mothers. Meanwhile, 71.3% of all single mothers, but only 67.2% of mothers living in a partnership, were employed.

Regarding “childcare enrollment, age 0–2,” Austria now ranks in the lowest third of OECD countries. The score for 2020 marked a slight improvement on the previous period under consideration (2017–19), but is lower than in 2015. A similar pattern and evolutionary dynamic can be observed concerning “childcare enrollment, age 3–5.” However, in this sector, Austria currently ranks just in the upper half of OECD countries.

The country’s suboptimal performance at this level has also come to be reflected in the fertility age of Austrian women – with Austria ranking top of the lowest quarter of OECD countries (30 out of 41 countries). Austria’s score for 2019 (1.46) was the lowest since 2015, but still slightly better than for the period 2010–13 (with scores between 1.43 and 1.44). Child poverty increased only slightly, but the score for 2020 was the worst since the early years of the 21st century.

While more particular assessments of the effects of the coronavirus pandemic on single mothers in Austria are lacking, early exploratory studies strongly suggest that the pandemic most likely aggravated the already difficult status of single mothers, despite the various extra benefits for single parents provided by the government.

Citation:

https://www.statistik.at/web_de/presse/125929.html

file:///C:/Users/c4021008/Downloads/BMSGPK_Analyse_der_sozialen_Lage_Alleinerziehende.pdf

Pensions

Pension Policy
Score: 6

Austria has long been considered “a heaven for retirees.” Indeed, poverty among senior citizens is low by comparative standards. The retirement age also continues to be low by comparative standards, particularly if the focus is on the actual retirement age (in contrast to the formally set retirement age of 65 for men and 60 for women). The formal retirement age for women was raised several years ago and will continue to increase incrementally to 65 by 2033.

One marked bias within the system concerns the advantageous situation of retired public sector employees (Beamte) compared to retired private sector employees. The representatives of public sector employees argue that top incomes cannot be earned in the public sector. In contrast, the representatives of private sector employees argue that the higher degree of job security in the public sector does not justify the current differences in pensions.

Another bias concerns the average pension entitlements of women and men. In Austria, female retirees currently receive about 40% less than their male counterparts, which means a significantly larger gender gap than in most other countries. (The reported average for OECD countries in 2020 was about 26% less).

Overall, the current system can be characterized as generous, but rather expensive. The pension insurance contributions of employees is currently set at 22.8% of gross income, which is high by international standards. Nevertheless, nearly one-third of overall pension costs are paid for by the taxpayer. Population aging will force the Austrian government to adopt reforms. The already high contribution rate cannot be further increased, so adjustments to the pension level and retirement age are the only instruments at hand.

Similar to previous governments, the ÖVP-Green government has not withstood the temptation to keep a large proportion of retirees happy by increasing their entitlements and particularly those with smaller pensions in 2021. Continuing a practice common to previous (often SPÖ-led) governments, pensions of less than €1,300 per month were not increased by 1.8%, but by up to 3%. As a consequence, the chair of the pensions commission, Walter Pöltner, stepped down in protest, arguing that the practice not only violated the “insurance principle” but also incurred unacceptably high costs for the next generation.

Citation:

<https://www.wienerzeitung.at/nachrichten/wirtschaft/oesterreich/2116391-Was-das-Pensionssystem-ins-Wanken-bringt.html>

<https://kontrast.at/pension-frauen-weniger/>

<https://www.sn.at/politik/innenpolitik/walter-poeltner-tritt-als-chef-der-pensionskommission-zurueck-109736758>

Integration

Integration Policy
Score: 5

When in the fall of 2015 a comparatively high number of refugees and/or migrants came to Austria for a brief period, society's response seemed to go into the direction of a "welcoming culture." Related reforms pointed in the same direction. Yet this more liberal approach ended in 2016.

Despite some remarkable efforts, the Austrian approach to integration remains deficient in two key ways. First, there is too little formal recognition that Austria is a country that has been and will continue to be defined by immigration. Second, compared to other EU member states, acquiring citizenship in Austria is complicated for non-nationals (despite popular cases involving prominent figures, such as opera performers, athletes and billionaires).

These shortcomings are reflected in education outcomes. Education in urban areas, and to a lesser extent rural areas, has to deal with the challenge posed by children of first-generation migrants, in school systems with constrained resources. This means that children from migrant families find it more difficult to qualify for higher education and are often stuck in the lowest types of school. This also heavily nourishes discontent of "native" Austrian parents with children in such schools, where successful educational outcomes are increasingly difficult to realize. Special support policies for such children have recently been put in place, but it remains to be seen how successful these policies will be in the short to medium term.

With respect to the labor market more broadly, the Austrian government is only halfheartedly welcoming employees newly arriving from foreign countries. Its policies (including the "red-white-red card") are neither well received by economic actors nor are they succeeding in attracting highly skilled professionals. The indirect, undeclared alliance between organized labor (which defends the short-term interests of union-protected laborers, and is usually linked politically to the left) and the far-right (which exploits xenophobic resentments, especially in the case of the Freedom Party) creates a

political climate that sometimes breaks into open hostility, particularly against migrants coming from Muslim countries.

The openly xenophobic rhetoric in recent Austrian policymaking, which characterized the ÖVP-FPÖ government (2017–19), has been abandoned. However, widespread expectations that the participation of the Greens in the governing coalition would mark a huge step forward in integration policymaking have not been met. The current ÖVP-Green government is the first federal government to include a full minister for integration. However, the office has been controlled by the ÖVP, not the Greens.

The impact of the coronavirus pandemic hit migrants in Austria harder than the country's non-migrant population. For example, while unemployment among Austrian citizens in 2020 increased from 6.4% to 8.4%, the rate of unemployment among migrants increased from 10.8% to 15.3%.

More generally, in a survey among migrants in Austria conducted in April 2021, 48.3% of respondents with a migration history from Bosnia, Serbia or Turkey stated that they had been occasionally or more often discriminated against because of their origin.

Citation:

<https://www.migration-infografik.at/at-asylstatistiken-2021/>

file:///C:/Users/c4021008/Downloads/integrationsbericht2021.pdf

<https://de.statista.com/statistik/daten/studie/918456/umfrage/diskriminierungsgefuehl-von-migranten-in-oesterreich/>

Safe Living

Internal Security
Policy
Score: 8

Internal security is well protected in Austria. All available indicators depict Austria as a rather secure country. Criminal statistics clearly show that the overall security Austrians enjoy is stable and comparatively high. As government reports for 2020 indicate, in many fields, the overall number of crimes committed has been decreasing. This is particularly true for burglaries, with more people working from home as a result of the pandemic. At the same time, cybercrimes increased by 26.3% between 2019 and 2020.

Police budgets and personnel numbers rose again in 2020 and 2021, which indicates that the police are viewed as an appropriate instrument for providing internal security. There has also been a reasonable willingness among recent Austrian governments to engage in cross-border cooperation.

Survey-based research clearly indicates that Austrians felt rather safe in 2020 and considerably safer than in previous years.

Citation:

Stats from the interior ministry: https://bundeskriminalamt.at/501/files/PKS_18_Broschuere.pdf

https://bundeskriminalamt.at/501/files/PKS_2020_HP_20210412.pdf

https://ifes.at/sites/default/files/downloads/sicherheitsmonitoring_2020_keynote_0.pdf

Global Inequalities

Global Social
Policy
Score: 5

Austria often gives rhetorical support to agendas seeking to improve the global social balance. However, when it comes to actions such as spending public money to improve development in developing countries, Austria has been notably slow to fulfill its promises. In the projected budget for 2022, international development aid was one of the few sectors in which spending was not scheduled to increase. Actual spending remains more than 50% below the agreed 0.7% ratio, despite the growing coronavirus-related misery in many parts of the world.

At the EU level, Austria continues to block any attempts (e.g., by the European Commission) to develop a binding Common European Refugee Policy. After the latest major episode concerning refugees from Afghanistan, the Austrian government received substantial criticism for its strikingly uncompromising policies.

Regarding Austrian debates about migration and refugees, most commentators argue that the best way of dealing with “mass migration” to Europe (including Austria) is to improve the conditions of migrants in their home countries. But with the exception of some of the smaller parties – in particular NEOS and the Greens – no political actors have dared to promote costly Austrian activities to improve living conditions, for example, in Africa. However, even the participation of the Greens in the current coalition government, which assumed office in early 2020, has not been followed by a major change of course in Austria’s public policymaking in the areas concerned. Nevertheless, the Greens achieved some improvements, such as the significant increase of payments into the fund for foreign disasters (Auslandskatatstropfenfonds) in 2021.

Interim assessments of Austria’s progress in implementing the United Nation’s SDGs and Agenda 2030 drew a rather bleak picture. The European Parliament’s official report from 2019 highlighted Austria as one of the few countries “with no or no clear monitoring framework so far.” Furthermore, the

report identified Austria and Bulgaria as the only countries “that have not signaled any of the three strategic tools for knowledge input.” Finally, the report stated that Austria was one of just three (out of a total of 28) countries in which “national parliaments have no recognizable activities or plans.” Some progress has since been achieved, though there remains much room for improvement.

Citation:

<https://www.derstandard.at/story/2000129463097/faktencheck-wie-viel-geld-oesterreich-fuer-hilfe-vor-ort-ausgibt>

<https://orf.at/stories/3226907/>

https://www.parlament.gv.at/PAKT/PR/JAHR_2021/PK0182/

<https://www.europarl.europa.eu/cmsdata/160360/DEVE%20study%20on%20EU%20SDG%20implementation%20formatted.pdf>

<https://awblog.at/agenda-2030-sdgs-rueckstand/>

III. Environmental Policies

Environment

Environmental
Policy
Score: 7

Ecological values have been embraced by virtually all Austrian political parties (not just the Greens). Moreover, as long as protecting the environment is not in immediate conflict with economic growth, the government has promoted environmental policies. But ambiguity and a tendency to think within traditional frameworks that favor economic growth over environmental protection remain.

Due to EU laws (the so-called Eurovignette directive), more international transit and the failure to make railroads a more attractive way to transport goods, Austria has conspicuously failed to decrease carbon dioxide emissions from vehicle traffic. Greenhouse gas emissions have remained strikingly high. As an official report by the Austrian Federal Audit Office from early 2021 suggests, greenhouse gas emissions grew by 5% in Austria over the past 30 years (making the country one of just six EU member states that have failed to achieve any improvement), while during the same period the average for all EU member states reduced by 24%. Industry and commerce remain the largest contributors to carbon dioxide emissions. Economic growth and cheap carbon market certificates for carbon dioxide are the principal causes of the increase in carbon dioxide emissions in this sector. Due to strong lobbying by economic actors, consecutive Austrian governments have failed to control the

supply and price of tradable carbon dioxide certificates, contributing to a significant fall in certificate prices.

From 2019 to 2020, Austria's overall energy consumption decreased by 7.9 percentage points, which was similar to the average score for Europe (7.8 percentage points). The largest reduction was in the category of oil. The per capita consumption of primary energy in Austria in 2020 was the lowest since 2010. The equivalent reduction from 2019 to 2020 was -8.4 percentage points, again slightly better than the European average (-8.0 percentage points). Regarding carbon dioxide emissions, Austria improved as well (with -13.5 percentage points on 2019); again performing slightly better than the European average (-12.3 percentage points).

Further, Austria has a rather large and growing waste generation sector, with the country ranking only 29 out of 41 OECD countries in 2019. However, Austria was among the top three (out of 32) European countries with regard to waste recycling. Nevertheless, the overall material recycling rate remains much less impressive, with Austria ranking 23 out of 41 OECD countries.

The new ÖVP-Green government, which assumed office in early 2020, launched two ambitious national targets. First, 100% of domestic electricity consumption will be covered by renewable energy sources by 2030. Second, the country will achieve climate neutrality by 2040. It remains to be seen whether the government will achieve these targets. Arguably, the single most spectacular measure was the introduction of an annual "climate ticket" in late 2021 (for about €1,100), which allows ticket holders to use all forms of public transport (e.g., trains, buses, trams and subways) across the country. The pricing of CO₂ emissions, as stipulated in a major tax reform package introduced in late 2021, despite its perceived shortcomings, marked a step forward. The Greens made their first-time presence in the federal government felt through more isolated decisions. For example, in early December, the Green climate minister spectacularly halted several controversial highway projects (including the Lobau tunnel).

Environmental pollution in Austria continues to be moderate by comparative European standards. Regarding air pollution, and exceedances of nitrogen dioxide (NO₂) in particular, Austria was among the half dozen of 22 European countries covered in a report published in 2022 in which road traffic was identified as the only major source of exceedances reported. A report by Statistik Austria from 2021 identified an overall positive trend in the area of environmental pollution. In addition, the government's environmental and climate policy budget was significantly increased in late 2021, continuing the trend established in 2020.

Concerning biodiversity, Austria continues to operate in the better half of OECD countries, slightly above average, with no major changes having taken place during the period of review. With the country participating in the recently established LIFEPLAN project (launched by the University of Helsinki), Austria can be considered to be at the cutting edge of global biodiversity research.

Thus, while some performance indicators continue to be clearly less than satisfactory, it is possible to identify a moderate change for the better.

Citation:

<https://www.bp.com/content/dam/bp/business-sites/en/global/corporate/pdfs/energy-economics/statistical-review/bp-stats-review-2021-full-report.pdf>

<https://www.eea.europa.eu/ims/waste-recycling-in-europe>

https://www.rechnungshof.gv.at/rh/home/home/Bund_2021_16_Klimaschutz_in_Oesterreich.pdf

<https://www.umweltbundesamt.at/fileadmin/site/publikationen/rep0761.pdf>

Klimaschutzbericht 2021:

<https://www.umweltbundesamt.at/fileadmin/site/publikationen/rep0776.pdf>

<https://www.eea.europa.eu/publications/managing-air-quality-in-europe>

file:///C:/Users/c4021008/Downloads/kurzfassung_wie_gehts_oesterreich__schluesselindikatoren_und_ueberblick_20%20(1).pdf

https://www.parlament.gv.at/PAKT/PR/JAHR_2021/PK1247/

<https://www.umweltbundesamt.at/en/news210519en>

Global Environmental Protection

Global
Environmental
Policy
Score: 6

Austria's approach to global environmental policy has long been full of contradictions. Rhetorically, Austria (i.e., the government, political parties and the media) paints itself as a frontrunner in global governance, from Kyoto to Copenhagen and Paris. In practice, however, the country's efforts do not support this conclusion. Austria is still proud of its 1978 decision not to use nuclear energy, one of the first countries to do so worldwide. This has become a kind of national narrative, in which Austria is proud to be in the vanguard of enlightened environmental consciousness. Austria tends to lecture others, including its neighbors in Europe, about the need to improve ecological standards. But when it comes to the practical job of reducing carbon dioxide emissions, Austria continues to fall way behind many of its peers.

This particular behavior has also been identified at the level of European environmental policy. A recent study by Buzogány and Četković (2021) highlighted that Austrian opposition party members of the European

Parliament (along with members from Poland, the Czech Republic and Hungary) have supported their governments in rejecting environmental and climate policy (ECP) legislation. This was seen as proof of broader national resistance to certain ECP legislation, which is likely to persist independent of changes in the party complexion of the government.

Nevertheless, the participation of the Greens in the new government formed in early 2020 and the appointment of a Green climate minister marked a tangible change in Austria's performance at the international level. Climate Minister Leonore Gewessler (Green) went out of her way to present and position Austria as a future frontrunner at the Glasgow climate conference in late 2021. Specifically, she committed the government to ensuring that Austria would increase its contributions to the international Green Climate Fund from €26 million to €30 million by 2023.

Citation:

Buzogány, Aron & Četković, Stefan, Fractionalized but ambitious? Voting on energy and climate policy in the European Parliament, *Journal of European Public Policy*, 28:7 (2021), 1038-1056, DOI: 10.1080/13501763.2021.1918220

https://www.kleinezeitung.at/international/klima/6055426/Ministerin-Gewessler_Oesterreich-soll-in-Glasgow-als

Robust Democracy

Electoral Processes

Candidacy
Procedures
Score: 9

The Austrian constitution and the laws based on the constitution are consonant with the framework of liberal democracy. They provide the conditions for free, fair and competitive elections. Parties based on the ideology of National Socialism are excluded from participation, but there has never been an attempt to exclude other parties considered to be outside the accepted mainstream of democracy (e.g., the Communist Party). Persons younger than 18 years of age cannot stand as a parliamentary candidate and there is a considerably higher age requirement for presidential candidates. Given that citizens over the age of 16 can vote, this means that not all citizens who enjoy full voting rights can stand for election. However, this tension clearly results from Austria's international frontrunner position at the level of active voting rights. The threshold of 18 years old for election candidates in Austria is no lower than in any other democratic regime.

During the 2019 electoral campaign, the political exclusion of legal non-citizen residents (about one million people) became an issue for the first time in Austria. As the majority in parliament has been extremely hesitant to ease access to Austrian citizenship, there is a contradiction between the democratic principle that “everybody within a community must have the right to participate in the political process” and the reality of a legal structure which prevents a significant number of legal residents from participating in the political process. Yet, voting rights for non-citizens are extremely rare in other countries, too. Thus, this cannot be considered a specifically Austrian deficiency. That said, passive voting rights for European Parliament elections in Austria are more restrictive than in several other countries. While in Germany and many other EU member states, any EU citizen can stand as a European Parliament candidate, passive voting rights in Austria are conditioned on having active voting rights (i.e., holding Austrian nationality).

Theoretically, while there is equal opportunity for every Austrian citizen (aged 18 or older) to stand as a candidate, there are obvious de facto limitations. As in other full-blown party government regimes that use party lists for elections, the Austrian parties are in a powerful gatekeeper position. Recent research on

the composition of these lists identified major shortcomings, particularly the under-representation of women and younger candidates.

Citation:
<https://www.addendum.org/repraesentation/wahllisten/>

Media Access
Score: 7

During electoral campaigns, all parties with parliamentary representation have the right to participate in unbiased debates hosted by a public broadcaster. This can, however, be seen as an obstacle to new parties, which are not covered by this guarantee. During the 2019 electoral campaign, private TV channels competed with the public TV broadcaster (ORF) in organizing almost daily discussions between representatives of political parties – with priority usually given to parties represented in parliament. The tendency for private channels to compete with the ORF has created a situation that has been critically described as “overfeeding” the public. However, obviously, this is the price for offering inclusive formats (i.e., avoiding exclusively focusing on the top candidates of the two major parties).

Political parties have what is, in principle, an unlimited ability to take out print advertisements, as long as the source of the advertisement is openly declared. This gives established parties, parties with better access to funding and especially government coalition parties an advantage. The advantage that parties in government enjoy is significant on the provincial and local levels as well as the federal level. This is conducive to a kind of balanced pluralism among the established parties, as parties in opposition at one level (e.g., the SPÖ has been in opposition on the federal level since 2017) are usually in power in some provinces (e.g., in late 2021, the SPÖ led the state governments in Vienna, Carinthia and Burgenland).

Voting and
Registration
Rights
Score: 9

Voter registration and voting rights are well protected. Registration is a simple process, taking place simultaneously with the registration of a residence. Citizens must be at least 16 years old to vote (which is exceptionally inclusive by international standards). The country has made efforts to allow non-resident citizens to vote from overseas. All Austrian citizens living abroad may register to vote in a region they previously lived in or have a close relationship with; registration is valid for 10 years.

Absentee/postal voting was introduced in 2007, with the number of postal votes continuously rising ever since. There is a particular political element involved in absentee/postal voting as some social segments are more likely to make use of this opportunity than others, which plays to the advantage of some parties and to the disadvantage of others. However, this cannot be avoided and should not be considered as a form of unequal opportunity.

There are currently 1.1 million permanent residents (accounting for one-eighth of the country's total population) which do not have any voting rights at national elections. While this is quite common by international standards, the relative difficulty in obtaining Austrian citizenship, and thus voting rights, represents a problematic aspect. In 2019, the exclusion of resident non-citizens became for the first time a political issue and this debate has continued ever since, with strongly diverging views between different parties. The registration of non-citizen residents to vote in local and European elections (provided residents are citizens of another EU member state) is possible and has not caused any major problems.

Citation:

https://www.oesterreich.gv.at/themen/leben_in_oesterreich/wahlen/4/13/Seite.320736.html

<https://www.derstandard.at/story/2000105976446/1-1-millionen-in-oesterreich-ohne-wahlrecht-vertraegt-das-die>

Party Financing
Score: 7

Political party financing in Austria has been characterized by unsuccessful attempts to limit the ability of parties to raise and spend money. Austrian electoral campaigns are among the most expensive (on a per-capita basis) in the democratic world, thanks to the almost uncontrolled flow of money to the parties. These large flows of money create dependencies, in the sense that parties tend to follow the interests of their contributor groups, institutions and persons.

However, some improvements have been made over the past decade, for instance, by making it necessary to register the sums given to a party. An amendment to the Austrian act on parties made it mandatory for parties to declare the sources of their income. Additionally, parties are required to keep records of their accounts and publish an annual financial report. This report must include a list of all donations received. Therefore, and for the first time, policymakers have sought to render the flow of private money to parties transparent. The annual reports are subject to oversight by the Austrian Court of Audit and violations of the law can be subject to severe penalties. After major violations of the campaign financing rules in 2017, the ÖVP was again accused of illegal overspending in the 2019 national election campaign.

This regulatory structure contains loopholes, as parties do not need to identify the sources of minor donations. These rules were, however, tightened in 2019. Previously, parties were allowed to accept donations of any amount, with the obligation to publish the names of those having donated more than €3,500. Since 2019, a limit of €7,500 per year per donor has been introduced and no party may accept more than €750,000 per year from all donors combined. Donations from foreigners were banned completely.

The new ÖVP-Green government formed in early 2020 committed itself to reforming the rules and fighting corruption more generally. However, these declarations of intent were not followed by any concrete legislation. Therefore, in October 2021, the president of the Austrian Federal Audit Office presented her own reform ideas to the parties and the wider public. Along with tightening the rules further and increasing the fines for violating these rules, the proposal also sought to abolish the possibility of paying fines from public funds.

Citation:

<https://www.diepresse.com/6051153/rechnungshof-strafe-soll-partei-harter-treffen>

<https://www.diepresse.com/5653730/nationalrat-setzt-heute-doppelten-deckel-auf-parteispenden>

Popular Decision-Making
Score: 5

Plebiscites (referendums) are obligatory and binding when the matter affects significant constitutional issues. This has been the case only once, in 1994, when Austria had to ratify the treaty of accession to the European Union. Plebiscites are possible (and binding) if a majority of the National Council (the lower house of the two-chamber parliament) votes to delegate the final decision on a proposed law to the citizens. This also happened only once, in 1978, when the future of nuclear power in Austria was decided by referendum. There is also the possibility of a non-binding referendum. Thus, in 2013, a non-binding referendum was organized concerning the military draft system. The governing parties and parliament treated the decision – in favor of keeping the existing universal draft – as binding. The small number of direct-democratic decisions made in the past are the consequence of a constitutional obstacle: Except for the case of the obligatory plebiscites, it is the ruling majority that ultimately allows referendums to take place, and therefore controls access to direct-democratic decision-making.

Citizen initiatives are proposals backed by a qualified minority of voters (a minimum of 100,000 individuals, or one-sixth of the voters in at least three of the country's nine federal states). These initiatives are, however, not binding for parliament, which has only the obligation to debate the proposals. Most citizen initiatives have not succeeded in becoming law.

In addition to direct democratic instruments at the national level, there is a wide array of similar instruments at state and local level. As recent research demonstrates, all three levels have come to experience a strong trend toward a more intense use of the instruments available, and increased levels of professionalization in drafting and launching proposals. According to the same source, about 8% of all the procedures that were started were successful, with major differences between different policy fields. At all levels, infrastructure clearly stands out as the most important field for direct democratic activities.

Successful activities are, however, much more often observed at the lowest level.

While a possible extension of direct democracy has been on the agenda of the first Kurz government (ÖVP/FPÖ, 2017–2019), this agenda was largely lost during the second Kurz government (ÖVP/Green, 2019–2021), as the ÖVP became less ambitious. However, in November 2021, the Nationalrat voted to establish a “dialogue with the states” on the future of direct democracy in Austria.

Citation:

<https://epub.jku.at/obvulihs/download/pdf/6084412?originalFilename=true>

https://www.parlament.gv.at/PAKT/PR/JAHR_2021/PK1306/

Access to Information

Media Freedom
Score: 7

Media freedom in Austria is guaranteed by the constitution. There is no censorship, and new electronic or print-media organizations can be freely established. Limits to the freedom of expression in the media are defined by law, and the courts ensure that these limits are enforced.

However, the federal and regional governments use public money to promote specific policies during election campaigns and beyond in various print publications. They have even used public money to pay fines for violating established rules. This tradition, which has repeatedly been criticized by the Austrian Court of Audit and by media organizations, has not stopped or been reined in by stricter regulations. This also holds true for the current ÖVP-Green government, which assumed office in early 2020. Due to the pluralistic structure of Austria’s political system (no single party has ever simultaneously controlled the federal government and all state governments), the impact of this practice is typically diffused. But this financial relationship, nevertheless, reduces the credibility and freedom of the media.

The Austrian Public Broadcasting (Österreichischer Rundfunk Fernsehen, ORF) company dominates both the TV and radio markets. The ORF is independent by law and is required to submit comprehensive reports on its operations. All parties in parliament are represented on the ORF’s oversight body (the Stiftungsrat). A number of (real or imagined) cases of political influence over the ORF by various political parties have been alleged. However, the ORF in general fulfills its mandate quite well, particularly by international standards. There is an imbalance between the ORF, and TV and radio stations beyond the ORF. The ORF is financed mainly by public fees, which everyone who owns a TV or radio device has to pay. Other TV and

radio broadcasters have to finance their structures and activities through advertisements. The ORF and the government justify this imbalance by referring to the ORF's specific educational task, which private companies do not have to fulfill.

The “Ibiza scandal,” which dominated the headlines in 2019, highlighted in a spectacular way the extent to which some political actors (in this case then former FPÖ party leader and Vice-Chancellor Heinz-Christian Strache) consider the media a territory potentially “up for grabs” by big money and media journalists as “prostitutes.” However, while this case was unprecedented and led to the downfall of the ÖVP-FPÖ government in the same year, highly problematic attempts to influence media reporting by using public money have continued. In fact, accusations that then ÖVP party leader Sebastian Kurz had used public money to influence media reporting on the 2017 electoral campaign in a highly improper way (including the publication of “fake surveys” to his own and his party's benefit) eventually became one of the major factors prompting Kurz's resignation from all political offices in late 2021.

While many observers considered the period of the ÖVP-FPÖ government to be rock bottom for media freedom from government intervention (with unusually aggressive attacks by the FPÖ on the ORF for being “not objective”), the overall situation has not changed much for the better under the new ÖVP-Green government. This can be seen from Austria's position in international rankings for press freedom. For example, in the Reporters Without Borders ranking, Austria dropped out of the top-12 group in 2019, ranking 16 out of 179 countries. The same source ranked Austria 18th in 2020 and 17th in 2021. However, even this slight improvement for 2021 was owed to deteriorations in other countries, as the 2021 score for Austria indicated a slightly more negative perceived overall state of play.

Obermaier, Frederik & Obermayer, Bastian, “Die Ibiza-Affäre. Innensicht eines Skandals. Wie wir die geheimen Pläne von Rechtspopulisten enttarnten und darüber die österreichische Regierung stürzte.” Köln: Kiepenheuter & Witsch 2019.

https://rsf.org/en/ranking_table

<https://www.derstandard.at/story/2000125974495/ranking-oesterreich-weiter-nicht-in-spitzengruppe-bei-pressefreiheit>

<https://www.diepresse.com/6051153/rechnungshof-strafe-soll-partei-harter-treffen>

Media Pluralism
Score: 5

The Austrian media system features a distinct lack of pluralism in both the broadcast- and print-media sectors. The TV and radio markets are still dominated by the public Austrian Broadcasting Corporation (ORF). By law, the ORF is required to follow a policy of internal pluralism, which in practice

translates primarily into a reflection of the various political parties' current strength in parliament. Thus, interests and movements not yet established in the political system may occasionally suffer a disadvantage.

The print media sector continues to be fairly concentrated, with one single daily paper, the tabloid paper Kronenzeitung (Die Krone), accounting for a 23.9% market share in 2021 (down from more than 40% in 2009). The second and third largest shares are held by Heute, a free newspaper (8.8%), and Der Standard, a high-quality newspaper (7.3%). The Krone carries particular political weight insofar as politicians of various parties seek to please its editor and staff, a situation that erodes the fair and open democratic competition of ideas and interests. Print media are no longer owned by parties or organized interest groups, and the concentration can be seen as a consequence of market forces and the small size of the Austrian market. Regional monopolies also pose a threat to media pluralism. In some federal states, a single daily paper dominates the market. Again, the small size of the Austrian media market is largely responsible for this.

According to data gathered for and published by the Media Pluralism Monitor 2021, media pluralism in Austria is at medium risk in all but one of the areas investigated (i.e., market plurality, political independence and social inclusiveness) and one area (fundamental protection) shows a low risk. According to the same source, risks to media pluralism in Austria are primarily due to horizontal and cross-media concentration, a lack of sufficient reflection on the changes in the media landscape in the competition law, threats to the independence of PSM governance and funding, endangered editorial autonomy, some shortcomings in provisions on the transparency of media ownership, limited access to media for women and minorities, the lack of a policy (or resources) to promote media literacy, and a system of state subsidies.

Citation:

https://cadmus.eui.eu/bitstream/handle/1814/67793/austria_results_mpm_2020_cmpf.pdf?sequence=1&isAllowed=y

<https://www.leadersnet.at/news/53507,media-analyse-2021-42-millionen-leserinnen-bleiben-der.html>

Ownership structure of Austrian print-media:

<https://kontrast.at/medien-oesterreich/>

Access to
Government
Information
Score: 7

Citizens can access government information, but major restrictions apply (see below). The principle of privacy protection is sometimes used as a justification – at times, only a pretext – to prevent academic research and other inquiries. The Austrian bureaucracy still appears tempted to consider access to information a privilege rather than a right.

The overall trend is favorable, with access to information becoming progressively more liberal. For example, more recently, the police and courts established structures (offices and officers in charge) that are responsible for information. However, Austria has still not yet adopted an encompassing freedom of information act of which all citizens are informed and able to use. There are too many legal caveats (defined as state-relevant “secrets,” Amtsgeheimnisse) that restrict public access to government information.

In light of international expert assessments, Austria has long had one of the weakest right to information laws in the world and consistently ranks at the bottom of the Global Right to Information Rating – the leading global tool for assessing the strength of national legal frameworks for accessing information held by public authorities – with a score of 33 out of 150.

According to a detailed assessment by Access Info (<https://www.access-info.org/>), the draft freedom of information law, which was published by the Austrian government in early 2021, “brings with it some positive changes to the previous access to information regime in Austria: the right to information has now been elevated to a constitutional right, there are no longer charges to submit access to information requests, and the right now applies to all governmental agencies, including state-affiliated companies, not just administrative authorities.”

However, the same organization carried out a right to information rating analysis of the recently presented draft law, comparing it against accepted international standards, and found that, “while there are improvements from the previous law, this draft law only scored 57 points out of 150. The main areas of concern with this draft law are: limiting definition of information; weak proactive publication obligations; weak harm and public interest test applicable to exceptions; no independent oversight body; lack of sanctions regime for non-compliance; only judicial appeal against refusals.”

Citation:

https://www.parlament.gv.at/PAKT/VHG/XXVII/SNME/SNME_85202/imfname_947137.pdf

<https://ipi.media/austrias-journalists-face-roadblocks-to-accessing-official-information/>

Civil Rights and Political Liberties

Civil Rights
Score: 7

The rule of law as well as basic civil rights are guaranteed in Austria, at least for Austrian citizens. This is less so the case for non-citizens (and especially non-EU citizens). Austrian laws concerning naturalization are extremely strict,

which leaves hundreds of thousands of persons living legally in Austria excluded from political rights. Cases documented by NGOs have shown members of the Austrian police to have used cruelty and violence in interactions with non-citizens (especially migrants without a residence permit).

Right-wing populist parties, especially the Freedom Party of Austria (FPÖ), instrumentalize social and economic anxieties among the broader population to blame migrants and refugees for any kind of negative development, ranging from crime to unemployment. Mainstream political parties have sometimes been reluctant to insist that the guarantees provided by human-rights declarations signed by Austria (e.g., the Council of Europe's Declaration of Human Rights) cover refugees and migrants, and must be implemented without reservation.

Access to the courts in Austria has become increasingly difficult as a result of legal fees that have reached exorbitantly high levels, particularly in the civil branch of the judiciary system. While the state does in some cases provide financial assistance, in many cases, the fees required to access the Austrian judicial system constrain or altogether block access for people with limited means.

As in many other countries, the anti-coronavirus measures introduced by the government included many serious (though temporary) restrictions of key civil rights, such as the right to gather for demonstrations, which have been accompanied by inconclusive court reactions. The series of four complete lockdowns between March 2020 and late 2021 marked the most severe challenge to civil rights. The government's plans to introduce mandatory coronavirus vaccination by February 2022 was another hot issue on an evolving agenda.

Citation:

https://www.vfgh.gv.at/medien/Verhuellungsverbot_an_Volksschulen_ist_verfassungswid.de.php

<https://religion.orf.at/stories/3204086/>

<https://www.islamiq.de/2021/07/08/nationalrat-verschaerft-islamgesetz-iggoe-kuendigt-klage-an/>

Political Liberties
Score: 9

Human rights, and civil and political liberties are guaranteed effectively by the Austrian constitution. The Austrian standard of recognition accorded to such liberties and rights is very high. This is reflected in the high score granted by Freedom House in 2021, according to which Austria scored 56 out of a possible 60 points.

With respect to religious freedom, all major denominations enjoy the status of officially recognized religious communities. Officially recognized religious

denominations include all major Christian denominations, Islam, Judaism and Buddhism. This status enables access to the public education system in the form of religious instruction in schools, paid for by the government; a privileged way of “taxing” members of religious communities (through the church tax, Kirchensteuer); and other entitlements. As a consequence of these various financial links and other relationships, there is no clear separation between religious denominations and the state. However, religious denominations (especially the still-dominant Roman Catholic Church) have resisted identification with any specific political party.

As a consequence of the significant number of people coming from Muslim-majority countries over recent years, the acceptance of Islam has become less politically secure than in the past. In late 2017, the government introduced a ban on face veils in elementary schools. However, this was ruled unconstitutional by the Austrian Constitutional Court in 2020.

The fear that significant Muslim elements use their position in the educational system to preach a fundamentalist form of Islam, which promotes violence and resistance to gender equality, combined with the existence of an apparently very small but internationally well-connected network of radical Islamists, is feeding a debate concerning the status of Islam. In early 2021, the government introduced plans for a new “Islam law,” with tighter controls and more severe penalties for violations.

Freedom of speech is sometimes seen as being constrained by Austrian courts’ interpretation of libel. The European Court of Human Rights (ECHR) has overturned decisions by Austrian courts in numerous cases, as the Strasbourg court considers the Austrian interpretation to be too narrow. Consequently, the judicial system has (mostly) adapted to the rulings of the ECHR.

The only legalized limitation to political freedom concerns any activity linked to National Socialism. As a consequence of Austria’s past, the Austrian system does not allow political activities based on the doctrine of National Socialism, including Holocaust denial. While the principle is widely supported, its practical interpretation sometimes leads to controversy.

Citation:

<https://freedomhouse.org/country/austria/freedom-world/2021>

Non-
discrimination
Score: 6

Austrian law bars discrimination based on gender, religion, race, age or sexual orientation. In practice, despite the institutionalization of an anti-discrimination policy, discrimination is very evident within Austrian society. This includes indirect discrimination directed against women, who are still underrepresented especially at the level of management in the business sector;

discrimination against dark-skinned persons, in some cases even by the police; and gays and lesbians, whose position has improved, but still features structural disadvantages. Particularly with reference to sexual orientation, Austrian policies had retained a rather conservative orientation, limiting the legal institution of marriage to heterosexual partnerships. Since 2019, same-sex marriage in Austria has been legal.

That apart, open and latent forms of discrimination against LGBTQ+ persons continue to be part of Austrian politics and society. Despite recent progress, women in Austria continue to face numerous forms of discrimination, particularly in leadership positions and in terms of salary. That said, overall, perceived discrimination against women in Austria is considerably lower than among any other groups singled out in a recent Eurobarometer survey on discrimination. In educational institutions and beyond, ethnicity-based discrimination accounted for nearly three-quarters of all reported cases in 2020. Across various levels, “being Roma” is by far the most difficult status for a person living in Austria in terms of active and passive forms of discrimination.

According to Eurobarometer data, the overall reported level of perceived discrimination in Austria does not differ significantly from the EU average, though curiously both the share of respondents stating that anti-discrimination efforts were effective and not effective at all was higher than in other EU member states.

<https://orf.at/stories/3219186/>

file:///C:/Users/c4021008/Downloads/ebs_493_fact_at_en.pdf

http://diskriminierungsfrei.at/wp-content/uploads/2021/06/IDB_Jahresbericht2020.pdf

<https://www.derstandard.at/story/2000127548107/diskriminierung-unter-dem-regenbogen>

Rule of Law

Legal Certainty
Score: 8

The rule of law in Austria, defined by the independence of the judiciary and the legal limits that political authorities must respect, is well established in the constitution as well as in the country’s mainstream political understanding. The three high courts – the Constitutional Court (Verfassungsgerichtshof), which deals with all matters concerning the constitution and constitutional rights; the Administrative Court (Verwaltungsgerichtshof), the final authority in administrative matters; and the Supreme Court (Oberster Gerichtshof), the highest instance within the four-tier judicial system concerning disputes in civil or criminal law – all have good reputations. Judicial decisions, which are

based solely on the interpretation of existing law, can in principle be seen predictable.

The role of public prosecutors (Staatsanwälte), who are subordinate to the minister of justice, has raised some controversy. The main argument in favor of this dependency is that the minister of justice is accountable to parliament, and therefore under public control. The counter argument is that public prosecutors' bureaucratic position opens the door to political influence. To counter this possibility, a new branch of prosecutors dedicated to combat political corruption has been established, which is partially independent from the Ministry of Justice. However, this independence is limited only to certain aspects of their activities, leading some to argue that the possibility of political influence remains. In light of recent investigations, which featured prominent members of Austria's leading government party ÖVP, the political corruption branch of the prosecutors (WKStA) has come repeatedly under heavy verbal fire from high-ranking members of government.

The rule of law also requires that government actions be self-binding and predictable. And indeed, there is broad acceptance in Austria that all government institutions must and do respect the legal norms passed by parliament and monitored by the courts. The inquiries by corruption prosecutors into possible illegal activities of Chancellor Kurz in 2021, which eventually led to his downfall, became an impressive example of the power of the judicial branch in Austria (or its anticipatory effects for that matter).

This overall favorable assessment is in line with recent assessments in the European Commission's 2021 Rule of Law Report's chapter on Austria.

Citation:

https://ec.europa.eu/info/sites/default/files/2021_rolr_country_chapter_austria_en.pdf

Judicial Review
Score: 8

Within the Austrian legal system, all government or administrative decisions must be based on a specific law, and laws in turn must be based on the constitution. This is seen as a guarantee for the predictability of the administration. The three high courts (Constitutional Court, Administrative Court, Supreme Court) are seen as efficient watchdogs of this legality. Regional administrative courts have recently been established in each of the nine federal states (Bundesländer), which has strengthened the judicial review system.

The country's administrative courts effectively monitor the activities of the Austrian administration. Civil rights are guaranteed by Austrian civil courts. Access to Austrian civil courts requires the payment of comparatively very high fees, creating some bias toward the wealthier portions of the population.

In particular, the Constitutional Court's power, status and role are advanced by international standards. All Austrian laws and executive actions can be reviewed by the Constitutional Court on the basis of their conformity with the constitution's basic principles. On several recent occasions (e.g., the repeat of the presidential election in 2016), the court has proven resistant to overriding political gridlock. On other occasions, the court has not hesitated to repeal major pieces of government legislation (e.g., the ban on face veils in schools in 2020). In most years, the court ranks as the most trusted institution in Austrian politics.

Citation:

Eberhard, Harald, *The Austrian Constitutional Court after 100 Years: Remodelling the Model?*, *Zeitschrift für öffentliches Recht*, Juni 2021, Heft 2, 395-411.

Appointment of
Justices
Score: 8

Judges are appointed by the president, who is bound by the recommendations of the federal minister of justice. This minister in turn is bound by the recommendations of panels consisting of justices. This is usually seen as a sufficient guarantee to prevent direct government influence on the appointment process.

The situation is different for the Constitutional Court and the Administrative Court. In these two cases, the president makes appointments following recommendations by the federal government (six judges) or one of the two houses of parliament (three judges each). However, importantly, there is no two-thirds majority requirement for the election of candidates in the Nationalrat and Bundesrat, as in many other countries. The president and vice-president of the Constitutional Court are nominated by the federal government.

Members of the Constitutional Court must be completely independent from political parties (under Article 147/4). They are not allowed to represent a political party in parliament nor be an official of a political party. In addition, the constitution allows only highly skilled persons, trained lawyers who have pursued a career in specific legal professions, to be appointed to the court. This is seen as guaranteeing a balanced and professional appointment procedure.

While this regime has worked reasonably well in the past, recently there has been debate about possible improvements in terms of openness and transparency, among other things.

Citation:

Ehs, Tamara, *Demokratiepolitische Dimensionen der Verfassungsgerichtsbarkeit: Auswahl- und Bestellmodus der Mitglieder, Sondervotum, Öffentlichkeit*, in: *Zeitschrift für öffentliches Recht*, September 2020, Heft 3, 575-599.

Corruption
Prevention
Score: 8

Corruption has become a major topic of public debate in Austria. In recent years, scandals concerning prominent politicians (including former cabinet members) and industries dependent on government decisions have been exposed in increasing numbers, and thoroughly investigated. As a consequence, a special branch of the public prosecutor's office dealing especially with corruption (Korruptionsstaatsanwaltschaft) has been established in 2009. This office marked a significant improvement on the previous system, although it remains far from perfect with respect to political independence. The more proactive approach taken by government, represented for example in the activities of the Korruptionsstaatsanwaltschaft, have yielded positive results.

The Federal Audit Office is another widely respected agency, whose careful ex post inquiries in government activities (including state spending and regulation of party financing) have helped to establish tangible anticipatory effects in fighting corruption. More specifically, the anti-corruption regime established by the government is subject to constant evaluation by the Federal Audit Office.

Citation:

<https://www.derstandard.at/story/2000124539122/korruptionsermittler-im-scheinwerferlicht-wer-ist-die-wksta>

<https://www.wienerzeitung.at/nachrichten/politik/oesterreich/2096021-Tadel-fuer-Agrarressort-bei-Korruptionsbekaempfung.html>

Good Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 7

As in many other European democracies, Austrian governments tend to be coalitions, as usually no single party manages to secure an absolute majority in parliamentary elections. In terms of strategic capacity, this has both advantages and disadvantages. On the one hand, executive responsibility is blurred, as the presence of too many veto players prevents the development of consistent strategic capacity. On the other, governing coalitions are conducive to more inclusive government. Political decision-making in Austria is still characterized by a tendency to prefer a maximum of consensus, even at the price of postponing necessary decisions and shying away from taboos identified with the interests of special groups (e.g., public service unions or organized agrarian interests). Inter- and intra-party veto players have significant influence and tend to undermine strategic capacity.

Strategic-planning units and bodies consisting of public officials exist within the individual ministries. The Federal Chancellery can be considered the principal strategic-planning unit, as it is responsible for coordinating the government's various activities. However, it lacks the specialized personnel that would enable it to work as a comprehensive strategy unit and has no power to give instructions to other ministries.

The ÖVP-FPÖ coalition government (2017–2019) established secretary-generals above the traditional structures within departments and across all departments in an attempt to improve the government's strategic capacity. This regime has been continued under the ÖVP-Green government (since 2020), despite some initial concerns voiced by Green ministers. A secretary-general is only answerable to the minister. The intention is to give the respective minister (through the secretary-general) direct control over the department. A recent report by the Austrian Federal Audit Office found that

the suggested “streamlining effects” on internal decision-making (as well as the suggested cost reduction for other departmental personnel) remained notably moderate, and in some cases even added to contradictory orders and counter-productive processes within departments.

As in most other countries with complex governmental structures (including coalition governments and federalism), such as Germany and Switzerland, Austria’s overall performance in the coronavirus pandemic was taken by observers as a sign of structural weakness at the level of the government’s strategic steering capacity. It has to be noted, however, that much of this “observed” structural weakness arises out of the federal division of powers within Austria and cannot be considered a direct effect of weak government decision-making at the national level.

Citation:

https://www.rechnungshof.gv.at/rh/home/news/Generalsekretaere_Zusaetzliches_Personal_Risiko_von_Doppe.html#

<https://www.wienerzeitung.at/nachrichten/chronik/oesterreich/2083897-Covid-19-und-die-evolutionaere-Sackgasse-des-Oeffentlichen.html>

Expert Advice
Score: 6

Due to the fragmented structure of the cabinet, there is no coherent pattern of using scholarly advice. The extent to which each ministry seeks systematic academic advice, and whose advice is being invited, is up to the individual minister.

Economic and financial policy is the only area in which general scholarly advice is easily available and commonly sought. Two institutions established respectively by the social partners (the Austrian Institute of Economic Research, Österreichisches Institut für Wirtschaftsforschung) and through a mix of public and independent funding (the Institute for Advanced Studies, Institut für Höhere Studien) regularly articulate specific opinions such as economic forecasts. Governments typically take these two institutions’ work into account when making policy. Both institutes have an excellent reputation for academic quality and independence, but are nevertheless structurally (financially) dependent on government actors. Except with respect to immigration and pension policy, there is no regular academic advisory board, as exists in Germany or the United States.

While the period of the ÖVP-FPÖ government was responsible for a relative decline in public and expert consultation regarding new laws and regulations, and with some expert opinions allegedly suppressed by the government to avoid public dissent, the coronavirus pandemic opened up a new chapter in government-expert relations. Not only have scientists become more prominent contributors to the public debate, there have also been important institutional

innovations to foster closer exchange between political decision-makers and scientists, such as the COVID-19 Future Operations Platform (<https://futureoperations.at/>). Further, the pandemic prompted a new style of dealing with expert advice, with some ministers revealing to the public who exactly their advisers on contested key decisions were. Overall, the coronavirus pandemic became a historic catalyst for a new era of expert-based governance in Austria. The gesamtstaatliche Covid-Krisenkoordination (Gecko), formed in late 2021, included about 25 senior experts from different disciplines and was designed to play a crucial role in all coronavirus-related policies.

Citation:

<https://science.apa.at/power-search/7052218416774764840>

<https://irihs.ihs.ac.at/id/eprint/5746/7/koenig-2020-politikberatung-oesterreich-future-operations-clearing-board.pdf>

<https://www.diepresse.com/5805409/der-minister-holt-seine-berater-vor-den-vorhang>

<https://corona-ampel.gv.at/corona-kommission/mitglieder-der-corona-kommission/>

<https://www.derstandard.at/story/2000132010220/das-sind-die-neuen-covid-krisenmanager-und-ihr-expertenteam>

Interministerial Coordination

GO Expertise
Score: 6

The Chancellor's Office has limited capacity to evaluate the policy content of line ministry proposals according to the government's priorities. These limitations are less of an administrative and more of a political nature. First, the federal chancellor, who chairs the cabinet, is only the first among equals. He or she has no formal authority over the other members of the council. Second, with the exception of the years between 1966 and 1983, Austria has been governed by coalitions since 1945. This further reduces the authority of the head of government, as another key member of the government – the vice-chancellor – is usually the leader of another coalition party. The result is a significant fragmentation of strategic capacities. Responsibility within the government is distributed among highly autonomous ministers and among political parties that are closely linked by a coalition agreement, but compete independently for votes.

The Federal Chancellery does have a department called the Legal and Constitutional Service (Verfassungsdienst), which is responsible for checking the constitutionality of policy proposals coming from the various ministries. Another instrument of oversight is the evaluation of policy effects (Wirkungsorientierte Folgenabschätzung, WFA), which must be integrated into every policy proposal (since 2013). Under this policy, every draft law has

to include an evaluation of its effects in financial, social and other terms, thus enabling other members of the government to evaluate its consequences. Importantly, however, this regime does not center on the Chancellor's Office, but reflects the pluralistic organizational structure of the Austrian executive. Of the 90 measures evaluated in the Bericht über die Wirkungsorientierte Folgenabschätzung 2020, which was published in 2021, only three related to the Chancellor's Office.

https://www.oeffentlicherdienst.gv.at/wirkungsorientierte_verwaltung/dokumente/EvalWFA-2020_WEB.pdf?81k8bo

Line Ministries
Score: 6

As all ministers are equal, the autonomy of line ministries is substantial. The chancellor cannot determine the outlines of government policy and does not have to be involved in the drafting of legislation. Normally, however, proposals are coordinated by the Chancellor's Office. Formally, the Federal Ministry of Finance can offer its opinion as to whether a proposal fits into the government's overall budget policy and thus enjoys a kind of cross-cutting power.

The ÖVP-FPÖ government (2017–2019) tried to establish a policy of “message control.” This is a strategic instrument designed to reduce the visibility of individual ministers (although not necessarily their power, as was evidenced by the actions of the FPÖ minister of the interior), and to increase the directing power of the chancellor and deputy chancellor (at least as long as both are in control of their respective parties).

The “Ibiza scandal” – which followed the release of a secretly filmed meeting in which the former FPÖ leader, who was also vice-chancellor, attempted to sell government positions and a media outlet to a (fake) Russian oligarch – demonstrated the limits of message control. Nevertheless, the ÖVP-Green government has retained the message control regime. Over the course of Chancellor Kurz's second term (2020–2021), it became more and more clear, however, that the whole system was effectively designed to provide the perfect stage for the chancellor, as the ÖVP's unchallenged “vote puller.” That said, it remains unclear if or to what extent the increasing centralization of government communication can be considered a reliable indicator of a centralization of decision-making power.

<https://eplus.uni-salzburg.at/JKM/periodical/titleinfo/3860282>
<https://www.derstandard.at/story/2000130384394/nachruf-auf-die-message-control>

Cabinet
Committees
Score: 2

There have been no cabinet committees in the period under review. More generally, unlike coalition committees (informal meetings between senior representatives of the coalition parties), cabinet committees have not been a feature of executive organization and governance in the Second Republic.

However, in 2020, an institutionalized mechanism of coordination between various departments concerning youth issues (Koordination Jugendthemen) was created. This structure includes a coordination unit in each department, with the Chancellor's Office responsible for overall coordination.

Citation:

<https://www.bundeskanzleramt.gv.at/agenda/jugend/oesterreichische-jugendstrategie/koordination-der-jugendstrategie/koordination-bundesministerien-zu-jugendthemen.html>

Ministerial
Bureaucracy
Score: 6

Austria's federal bureaucracy is characterized by structural fragmentation. Each federal ministry has its own bureaucracy, accountable to the minister alone and not to the government as such. Each minister and his or her ministry is regarded as having a party affiliation according to the coalition agreement (though some federal governments have included non-party ministers). Policy coordination is possible only when the ministers of specific ministries agree to establish such a specific coordination. As fitting in the government's ministerial structure of the government, individual ministers fear loss of control over their respective bureaucracies, and thus lasting and open contacts are possible only between the (politically appointed) personal staff of ministers belonging to the same political party.

Because the Austrian bureaucracy is organized along the lines of a (British-style) civil service system, though with considerably higher levels of informal party politicization, the different ministerial bureaucracies tend to be stable in their political makeup and therefore immune to short-term political influences. However, the creation of secretary-generals at the top of departments in 2017, a system that has been continued by ÖVP-Green government (since 2020), has reduced the autonomy of civil servants.

Informal
Coordination
Score: 7

Various coordination mechanisms – such as weekly informal meetings within each cabinet faction and the cabinet as a whole, regular informal meetings between the chancellor and vice-chancellor, as well as meetings of the coalition committee – have been long-standing elements of informal executive governance in Austria. They did not, however, guarantee smooth decision-making based on consensus, but rather allowed the cabinet to make realistic assessments about which collective decisions were politically feasible. Informal coordination mechanisms were used to negotiate a compromise when a proposal from one party's minister was unacceptable to the other coalition party.

In the ÖVP-FPÖ government (2017–2019) regular informal meetings between the chancellor and vice-chancellor became a particularly important element of informal coordination. For all the differences between the FPÖ and the Greens, and their chief protagonists, this practice has been continued by the

ÖVP-Green government (since 2020). Several key projects of this government, such as the major eco-social tax reform, were negotiated between Chancellor Kurz and Vice-Chancellor Kogler.

<https://www.wienerzeitung.at/nachrichten/politik/oesterreich/2106372-Krach-im-Koalitionschaus-aber-die-Beziehung-haelt.html>

<https://www.diepresse.com/6045194/das-plotzliche-ende-von-kurz-und-kogler>

Digitalization for
Interministerial
Coordination
Score: 5

Austria has no particular tradition of digitalized interministerial coordination or, if Austria does, little is known about it. However, as in other countries, the coronavirus pandemic became a powerful “digitalization catalyst.” Ever since early 2020, Austrian ministers and ministries have used Zoom and other digital instruments/formats to host regular interministerial exchanges. According to the OECD Digital Government Index 2019, Austria ranks slightly below average, but better than many of its western European peers (e.g., Belgium, the Netherlands, Sweden and Germany).

<https://www.derstandard.at/story/2000116689168/trotz-sicherheitsmaengel-nutzen-oesterreichische-ministerien-zoom>

OECD Digital Government Index, available at:

<https://www.oecd.org/gov/digital-government-index-4de9f5bb-en.htm>

Evidence-based Instruments

RIA Application
Score: 8

In Austria, RIAs were established in 2013, and have quickly evolved into an important tool for legislators and parliamentarians. Ever since, RIA has been mandatory for all primary laws and subordinate regulations.

There has been a comprehensive “threshold test” since 2015, through which it is decided whether to conduct a full-scale or simplified RIA for draft regulations. The quality of all full RIAs and ex post evaluations is reviewed by the Federal Performance Management Office (FPMO).

The scope of full RIAs is reasonably wide, extending from environmental and social aspects to issues of gender equality. In addition to reviewing the quality of all full RIAs, ex post evaluations and controls, the FPMO supports the application of threshold tests for those measures not subject to full RIAs. It also issues guidelines, provides training on RIAs and ex post evaluation processes, and coordinates the application of such tools across government.

Citation:

https://www.oeffentlicherdienst.gv.at/wirkungsorientierte_verwaltung/berichte_service/Folder_Wo_Steuering_EN.pdf?7vj62q

<https://www.oecd.org/gov/regulatory-policy/austria-country-profile-regulatory-policy-2021.pdf>

Quality of RIA
Process
Score: 7

RIAs must be attached to every legislative proposal. The publication of draft laws for public assessment (while previous publication is legally required in many cases, in practice virtually all draft laws are published before they are voted upon) allows public stakeholders to comment on suggested legislation, which is a frequent occurrence. Trade unions and economic chambers in particular, but other institutions as well are regularly invited to provide comment on draft laws.

However, RIAs are not written by sectoral experts, but rather by the ministry or department preparing the draft law. As a result, expertise may in some cases be limited to the sectoral expertise of the body preparing the draft law. Currently, there is no independent body that evaluates RIA quality.

Since September 2017, all draft primary laws are available on the parliamentary website together with a short description of the legislative project in accessible language and the respective RIA. Citizens can submit comments on the draft regulation or support comments made by others online. Since August 2021, citizens can also submit comments on all legislative initiatives introduced in parliament (i.e., government bills, as well as parliamentary and popular initiatives) during their parliamentary deliberation and support comments made by others online. Moreover, in 2018, an interactive crowdsourcing platform was launched to provide the public with an opportunity to express their views ahead of parliamentary initiatives. Nevertheless, no systematic public consultations are held.

Citation:

https://www.oeffentlicherdienst.gv.at/wirkungsorientierte_verwaltung/dokumente/EvalWFA-2019_WEB.pdf?7ims0d

Sustainability
Check
Score: 8

The potential environmental effects of legislative proposals have to be evaluated as a part of regulatory impact assessments, as do effects on employment. Various decrees require that financial and other issues be assessed. Analysis may focus on the short, medium or long term according to specific RIA legal requirements, although the typical analysis focuses on a period of five years. In its annual RIA reports, the government explicitly commits itself to dealing with the SDGs.

While Austria features an overarching sustainability strategy, there remains considerable room for improvement. Still, the formation of a new government in early 2020, which included the Greens as the junior coalition partner, has led to several (if partially symbolic) improvements. In 2020, the government published its first voluntary national report on the implementation of SDGs (Freiwilliger Bericht zur Umsetzung der Nachhaltigen

Entwicklungsziele/SDGs). In 2021, the government's budget included for the first time specific information about which SDG is to be accomplished by the respective legislative projects of a department, which means that legislative goals are now systematically linked to sustainability goals. Further, efforts have been made to reach out to and involve Austrian civil society. In September 2021, the first SDG Dialogforum Österreich: Building Forward mit der Agenda 2030 took place. The forum used a hybrid format with participants representing different quarters, and was intended to provide the basis for intensive collaboration between government, public administration, the science community and civil society.

Citation:

<https://www.oecd.org/gov/regulatory-policy/RIA-in-Austria-web.pdf>

<https://www.bundeskanzleramt.gv.at/themen/nachhaltige-entwicklung-agenda-2030.html>

https://sustainabledevelopment.un.org/content/documents/26661VNR_2020_Austria_Report_German.pdf

Quality of Ex
Post Evaluation
Score: 3

Ex post evaluation is a rather unknown field in Austrian politics. The lack of any systematic ex post evaluation tradition and the tendency of political actors to prioritize the next election over all other perspectives makes it highly unlikely that the present government or parliament will establish a structure of ex post evaluations. The absence of long-term strategies, beyond traditional vague ideologies (like social justice or defending Austrian identity), prevent any reasonable systematic ex post evaluation.

The only systematic ex post evaluation is provided by the Austrian Court of Audit., However, the court's activities tend to focus on the financial aspects of specific government or government-sponsored projects. Nevertheless, ex post evaluation constitutes a major objective for Austrian scientific bodies (outside of ministries) such as the Austrian Institute of Economic Research (WIFO), Institute for Advanced Studies Vienna (his) and other Austrian university actors.

Citation:

https://www.rechnungshof.gv.at/rh/home/home_1/home_2/Taetigkeitsbericht_des_Rechnungshofes_2020_BF.pdf

Societal Consultation

Public
Consultation
Score: 7

The Austrian political system is quite inclusive, but is receptive primarily to particular interests. The corporatist network established after 1945, consisting of government, business and labor representatives, still functions (more or less). This allows the government to obtain information about the formation of

societal interests, and to use this information to adapt its decision-making process. However, this explicit social partnership permits the appeasement of certain interests while excluding other groups that are not as efficiently organized as the major economic interest groups. The system of officially recognized religious denominations provides another means of societal consultation. All major Christian churches as well as the Islamic, Jewish and Buddhist communities are included in decision-making processes for issues relevant to their faiths and activities. The role played by these specific economic and noneconomic interest groups has been legally formalized: The government must consult with these groups on all draft bills before sending the proposal to parliament.

A new legal basis for the Islamic community has the potential to improve consultation mechanisms with a fast-growing religious community. The sensitivity for the internal processes within the Islamic Community – especially concerning the responsibility for recruiting preachers and school teachers – has become greater due to the growth of that community.

The trend toward loosening government ties with social partners, as observed under the ÖVP-FPÖ government (2017–2019), has continued. The ÖVP-Green government, which assumed office in early 2020, was the first ever government not to include a single minister from one of the government’s social partners. Given this government’s party complexion, however, it is again organized labor that has lost further ground in the pre-parliamentary stages of the legislative process and beyond.

At the same time, opportunities for the public to participate in parliamentary consultations on government and parliamentary bills were considerably expanded in 2021.

Citation:

<https://www.addendum.org/politometer/eine-regierung-ohne-sozialpartner/>

<https://fachinfos.parlament.gv.at/politikfelder/parlament-und-demokratie/wie-funktionieren-begutachtungsverfahren-zu-gesetzesentwuerfen/>

Policy Communication

Coherent
Communication
Score: 5

In the past, government communication was largely dominated by individual ministries. This form of communication has usually been seen as a means of promoting coalition party agendas (and the agendas of the respective ministers involved), rather than the agenda of the government.

The past decade has seen a strong trend toward coordinating and centralizing government communication, however. Initially, this included an agreement to

use one press officer for both governing parties. In late 2017, the ÖVP-FPÖ coalition established a new style of centralizing political communication (“message control”), which marked a significant departure from the style of previous coalitions. This new regime, which effectively centered on the chancellor and the vice-chancellor, has continued under the ÖVP-Green government (in office since early 2020), despite its temporary implosion during and in the immediate aftermath of the “Ibiza scandal” (2019).

The coronavirus pandemic became a major challenge for government communication. Observers (and in particular supporters of one of the opposition parties) criticized a major lack of transparency and many confusing U-turns on government policies. Given the major tragedies involved, respondents also criticized the government, arguing that government communication was strongly focused on depicting the government as “being in control” at the expense of more substantive forms of communication. In particular, the inconclusive communication of the government’s plans for a fourth complete lockdown in late 2021 was widely perceived as a “communication disaster.”

Citation:

<https://viecer.univie.ac.at/corona-blog/corona-blog-beitraege/blog97/>

<https://orf.at/stories/3236296/>

Implementation

Government
Effectiveness
Score: 7

The implementation of government policies in Austria strongly reflects the reality of coalition governance. Following the formation of a government, coalition parties agree on policy priorities. Implementation success in different areas is used as a vehicle to promote party agendas, rather than the government’s overall agenda. While under previous governments, each coalition party typically blamed the other for government failures, more recent governments have increasingly sought to abandon that path.

That said, if the coalition partners agree on a policy, it is likely to be adopted, given the high degree of party discipline in parliament and the limited influence of the second chamber. Still, the overall proportion of election pledges that actually become law is lower in Austria than in many other western European countries with more favorable conditions for the fulfillment of election pledges. The realization of several prominent election pledges from the 2019 election campaign, such as a reform of the tenancy law (including the established system of brokerage fees), has been delayed by the pandemic-induced crisis mode that the government has repeatedly found itself in since 2020.

Citation:

Praprotnik, Katrin & Ennser-Jedenastik, Laurenz, Austria, in: E. Naurin; T.J. Royed, and R. Thomson, Party Mandates and Democracy. Making, Breaking, and Keeping Election Pledges in Twelve Countries, Ann Arbor: University of Michigan Press, 2019, 241-254.
<https://www.diepresse.com/6000029/die-vergessene-makler-reform>

Ministerial
Compliance
Score: 6

Ministers are primarily concerned with the agendas of their parties, rather than with that of the government as such. Ministers are selected by the head of each party – typically the chancellor and vice-chancellor. Their first loyalty is thus to party (and their party leader) rather than to the government as such. For this reason, ministers have incentives to implement the government’s program only as long as this is considered to be in the strategic interest of his or her party. Nonetheless, there are a number of informal mechanisms that help commit individual ministers to the government program. For that reason, parties within any coalition cabinet have to agree – informally or formally – not to oppose each other openly, for example, in parliament. Coalitions are usually based on a written agreement, including a political agenda and rules seeking to guarantee loyalty among the coalition partners – loyalty to the common agenda and loyalty defined as not siding with the opposition against the other. The resources available to the chancellor and his office at this level are notably limited.

Monitoring
Ministries
Score: 6

There is no specific institution for monitoring ministries in the Austrian core executive. The Chancellor’s Office is tasked with coordinating line ministries’ activities rather than monitoring them. However, this coordination does allow it to monitor departmental activities to some extent, particularly regarding the implementation of the coalition agreement. Overall, the nature of delegation in the Austrian political executive reflects the established tradition of coalition government. It is the coalition parties’ leaders (i.e., the chancellor and the vice-chancellor) that have significant influence over the individual ministers affiliated with their party, though even they lack the resources to monitor the work of individual departments in detail.

Monitoring
Agencies,
Bureaucracies
Score: 9

Ministries are responsible for monitoring the bureaucratic structures individually subject to them. All bureaucracies (except those within the judicial branch) are legally bound by instructions issued by their ministers (according to Article 20 of the constitution), and have to report regularly to the ministries. By establishing secretary generals above the heads of departments (Sektionschefs), the ÖVP-FPÖ government (2017–2019) strengthened the control of government ministers over their ministerial bureaucracies, a model that has been continued by the ÖVP-Green government (since 2020). These reforms have to be seen against the traditionally advanced levels of informal party politicization of the bureaucracy, which occasionally favor loyalty over competence. Overall, there have been few if any incidents of “bureaucratic drift.”

Task Funding
Score: 8

Under Austria’s federal system, individual states (Länder) are constitutionally weak as compared with individual states in other federal systems. Yet politically, the states enjoy significant power due to the principle of federal or indirect administration and the federal structure of all major parties.

The Austrian constitution stipulates that tasks delegated to regional or municipal governments must be adequately funded, although this does not always entail 100% national funding. This principle is in most cases effectively implemented, with some exceptions on the municipal level. Debates are ongoing over allowing the nine states to raise taxes independently. However, some states oppose such a reform and seem satisfied to be financed by federal authorities, with federal funding decided by a negotiated compromise between the federal government (Bund) and the states.

https://service.bmf.gv.at/Budget/Budgets/2021/beilagen/Zahlungsstroeme_Gebietskoerperschaften_2021.pdf

Constitutional
Discretion
Score: 8

Subnational self-governments in Austria are able to utilize their constitutional scope of discretion quite effectively. While the competences and independent financial resources of the states (Länder) and municipalities are limited by the constitution, national administrative tasks are often carried out by subnational agencies, which gives the states considerable (de facto) political power. This implies that constitutionally weak states tend to be more powerful at the level of the “living constitution.” Important examples relate to the areas of healthcare and education.

National
Standards
Score: 6

The national government has relatively few instruments by which to make state governments comply with its formal policies. In some areas, such as education, state governments enjoy much autonomy, which necessarily leads to considerable regional differences. These differences reflect, in particular, the different party complexions of state governments. The coronavirus pandemic showcased the strikingly limited ability of the national government to guarantee identical standards nationwide.

Effective
Regulatory
Enforcement
Score: 6

The question of “biased” and “unbiased” cannot be answered impartially by political actors. Political parties and their representatives will always tend to see the enforcement of regulations in different ways, reflecting the different perspectives of the competing parties. But, by and large, the Austrian tradition of enforcing regulations is broadly accepted as being without significant bias.

Generally, it is not so much the “enforcement” of regulation that may be biased, but rather the legislation (or regulations) that are sometimes biased. There is a rather strong tendency in Austrian politics to avoid legislating against the vested interests of powerful (economic or political) actors. Furthermore, depending on the party complexion of the government, different interests are likely to benefit from close ties to governing parties.

Adaptability

Domestic
Adaptability
Score: 6

The Austrian government has adapted domestic structures to international developments, but with reservations. While the EU political agenda is generally accepted (including EU-related structures and units within the governing machine), the government has proved reluctant to implement specific policies (e.g., by defending the principle of bank secrecy). This hesitancy reflects the fact that the government is often internally divided for constitutional and political reasons. First, the cabinet consists of autonomous ministers who cannot be forced to accept a general agenda. The position of the chancellor as first among equals means there is no clearly defined leadership by a head of government. Second, governments since 1983 have been coalitions. Coalition parties tend to work on a specific party agenda, and have a limited interest in the agenda of the government. In many cases, one governing party tends to favor implementing international and especially supranational (EU) policies more than the other. This issue was particularly pronounced when the FPÖ was part of the governing coalition between 2017 and 2019.

Recently, the government shifted its overall international outlook away from following general EU policies (as established by the principle of the European Union's Common Foreign and Security Policy) to a more diverse attitude – siding in some cases (e.g., concerning the UN migration agreement) with the four Visegrád EU member states rather than with the EU mainstream. In 2020, Austria was part of a small coalition of countries (alongside Sweden, Denmark and the Netherlands) that prominently blocked suggestions for an EU coronavirus aid program.

A key challenge Austria faces regards the structural reform of its federal division of power between the federal state, and the regions and (to a lesser extent) municipalities. Despite its rather small country size, Austria disposes of a strong federal system with a lot of powers residing with the regions, although some powers are inefficiently divided between the state and the regions (e.g., regarding healthcare). This system leads to a lot of inefficiencies regarding the implementation of effective policies and consumes a lot of resources, which would be invested better elsewhere.

Citation:

<https://www.sueddeutsche.de/politik/eu-corona-oesterreich-niederlande-1.4916086>

International
Coordination
Score: 5

Within the European Union, the government is obliged to collaborate with EU institutions. This collaboration is rarely controversial. In other matters (e.g., within the framework of the WTO, the Bretton Woods institutions, and the

United Nations), the Austrian government tends to play a rather low-key role, usually trying to follow a general EU policy if such a policy exists. In some fields (e.g., environmental protection), the government tends to promise more on the international level than it is willing or able to implement at home.

Austria has enjoyed a long-standing reputation as a “bridge-building actor” at the international level, though the main contribution to this has been hosting international meetings in the federal capital, Vienna. At the same time, Austria has tried to avoid any clear-cut positioning, which in many cases could be justified by the country’s constitutional commitment to neutrality. This tradition has continued under the ÖVP-Green government. For example, in late 2021, international talks over the Iran nuclear deal resumed in Vienna, where the first major deal had been struck back in 2015. In December 2021, Chancellor Nehammer also suggested that Austria should act as a “bridgebuilder” in the Russia-Ukraine conflict, though it remained largely unclear what exactly this would involve.

Citation:

<https://www.sn.at/politik/weltpolitik/wiener-atomgespraeche-mit-dem-iran-unter-zeitdruck-113732803>

<https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2021/12/bundeskanzler-nehammer-oesterreich-als-brueckenbauer-im-konflikt-zwischen-der-ukraine-und-russland.html>

<https://www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichten-der-bundesregierung/2021/12/bundeskanzler-nehammer-oesterreich-als-brueckenbauer-im-konflikt-zwischen-der-ukraine-und-russland.html>

Organizational Reform

Self-monitoring
Score: 5

There is no regular monitoring within the executive branch of the government. Due to the fragmented structure of the government and comparatively weak position of the chancellor, the ability to engage in oversight from within the central government is rather limited.

Core government actors are first and foremost legitimized by the political parties. Though officially appointed by the president, the cabinet consists of individuals chosen by the political parties on the basis of post-electoral coalition agreements. Civil service personnel are in many cases also indirectly linked to one of the political parties. In recent years, short-term appointments within the civil service have bolstered this latter trend, undermining the principle of a professionalized civil service. Individual cabinet members (federal ministers, including the chancellor and vice-chancellor) have increased the size of their personal staffs. This has created a mixed system, partially echoing the model of the British civil service, in which civil servants work under ministers irrespective of their own political links, and partially following the U.S. model of a politicized civil service with party-political links between cabinet members and their staff. This blend of two contradictory principles undermines the reform capacity of the Austrian system. The

government and its individual cabinet members can neither depend on the full loyalty of a partisan civil service nor be sure of complete civil service impartiality.

In an attempt to strengthen political control over the civil service, the ÖVP-FPÖ government (2017–2019) established a system of secretary-generals in all ministries, which has been continued under the ÖVP-Green government, which formed in early 2020. This system has had a centralizing effect by guaranteeing the loyalty of the civil service to the specific minister who appoints the secretary-general. However, it indirectly contradicts the non-partisan status of the Austrian civil service. Rather than following suggestions by the Court of Audit, the primary motivation for these changes has been to achieve more (political) control over the ministry and its staff. This new system was assessed in great detail by the Austrian Court of Audit in 2021, which made quite a few suggestions for improving these arrangements.

The Austrian Court of Audit also played a major role in initiating a major reform of the Austrian administration, which is ongoing. The latest chapter focused on issues of digitalization, for which the government committed €160 million (for more on the Court of Audit, see “Audit Office”).

Citation:

https://www.rechnungshof.gv.at/rh/home/home/2021_12_Generalsekretariate.pdf

<https://www.derstandard.at/story/2000124441441/oesterreich-investiert-160-millionen-euro-in-digitale-verwaltung>

Institutional
Reform
Score: 6

The basic institutional arrangements of governing have remained largely stable for many years. The creation of secretary-generals in the departments and the regime of “message control” at the level of government communication, introduced by the ÖVP-FPÖ government (2017–2019) and continued under the successive ÖVP-Green government, were designed to increase the government’s strategic capacity. The overall effects of these reforms have, however, remained uncertain. Apparently, the key ambition was to better sell government policies rather than to fundamentally expand the government’s policymaking capacity.

Regarding public policymaking, governments tend to promise more innovation at the beginning of a legislative period than they can actually deliver. Desired improvements are often prevented by constitutional limitations (e.g., the collective character of the Austrian cabinet) and, no less often, by internal rivalries within coalition governments. The parties may agree in principle on what needs to be done, but veto powers are able to block meaningful reforms during the legislative period. This is particularly true in the legislative arena, as many major bills require a two-thirds majority in parliament.

Some recent efforts to improve the state of play can, however, be identified. The Austrian Youth Strategy, coordinated by the Federal Chancellery, is designed to strengthen and develop youth policy throughout Austria. The goal of this strategy is to bring together policies and measures for young people in order to make them systematic and to optimize their effectiveness.

Citation:

<https://www.bundeskanzleramt.gv.at/agenda/jugend/oesterreichische-jugendstrategie/jugendstrategie-grundlagen.html>

II. Executive Accountability

Citizens' Participatory Competence

Political
Knowledge
Score: 5

A minority of Austrian citizens are well informed; the majority is politically informed only within rather narrow limits. On the one hand, this is because political parties (and the government) do not provide full information on decision-makers' considerations and goals. On the other, it is due to the characteristics of the Austrian print media, with the yellow press (and its often very strong bias) dominating large parts of the print-media market. In particular, the information offered by tabloids, such as *Heute*, and distributed for free tends to be questionable and sometimes misleading. In line with international trends, social media propaganda also contributes to a lot of misinformation among certain strata of the population.

A majority of Austrians show moderate interest in politics, a characteristic possibly favored or reinforced by the limited opportunity for participation in the political process by direct democratic devices. As in other countries, social media reinforces the existing tendency toward fragmentation; information and communication "bubbles" exist through which politically aligned citizens strengthen the opinions of like-minded people. A specific problem is that there is no general civic education curriculum in the Austrian school system – and this deficit has an impact on the general level of political knowledge.

The nexus between institutionalized opportunities to participate, and the level of political interest and knowledge is underscored by a recent study that strongly suggests that interest in politics among young Austrians – who have been able to vote at the age of 16 since 2007 – has significantly increased. Other recent research suggests that even in the absence of more sophisticated

political knowledge, young people living in Austria have a decent understanding of complex issues relating to immigration and immigration policies.

Citation:

<https://www.parlament.gv.at/PAKT/AKT/SCHLTHEM/SCHLAG/J2017/185JugendstudieWorkshops.shtml>

<https://science.orf.at/stories/3207052/>

On the role of social media:

<https://www.diepresse.com/5797319/mehr-als-die-haelfte-nutzt-soziale-netzwerke-als-infoquelle>

Open
Government
Score: 6

The Austrian government is not a “closed shop” – access to government data (e.g., provided by the government’s websites) is possible and the opposition’s right to information concerning significant developments is not disputed. However, this does not amount to the high level of open government that may be expected considering the promises given by consecutive governments. The proposed freedom of information act remains stuck in parliament and it appears likely that it will stay there for the foreseeable future.

Recent governments have made an effort to facilitate the provision of scientific micro-data. In 2020, the AUSSDA (Austrian Social Science Data Archive) was awarded the Core Trust Seal and thus certified as a “trustworthy data repository.” AUSSDA is a data infrastructure for the social science community in Austria, originally established in 2016, which offers a variety of research support services, primarily data archiving and help with data reuse.

The passing of a freedom of information act failed in 2021 (as it did in 2017), even though this reform had been a declared top priority by the ÖVP-Green government (or more precisely the junior coalition partner, the Greens). This latter episode showcased the institutional complexity of the Austrian system of government and the state’s veto power more specifically. As the bill would have required a two-thirds majority in both the Nationalrat and the Bundesrat, the states – which opposed the reform mainly because of the expected tremendous administrative costs – were able to prevent the bill from becoming law.

Citation:

<https://aussda.at/en>

https://aussda.at/fileadmin/user_upload/p_aussda/Documents/AUSSDA_project_report.pdf

<https://www.derstandard.at/story/2000132182312/koalition-sagt-erstmal-wer-das-informationsfreiheitsgesetz-verhindert>

Legislative Actors' Resources

Parliamentary
Resources
Score: 7

The two-chambered Austrian parliament, in which the National Council (Nationalrat) or lower house holds more power than the Federal Council (Bundesrat), is divided along two main cleavages. First, the strength of political party groups in parliament reflects the results of direct national elections (in the National Council) as well as indirect provincial elections (in the Federal Council). Second, the formation of coalitions creates a government and a parliamentary opposition.

All party groups that have at least five members in the National Council can use the infrastructure (office space, personnel) paid by public funds and provided by parliament. All party groups are represented on all committees, in proportion to their respective strength. In plenary sessions, speaking time is divided by special agreements among the parties, typically according to the strength of the various parliamentary party groups. Since 2014, the creation of a parliamentary investigation committee has been a minority right.

Individual members' ability to use resources independently of their respective parliamentary party groups has improved in recent years. Members of parliament can now hire a small number of persons for a personal staff that is funded by parliament and not by the party, which has increased members' independence. More recently, the Austrian Parliamentary Administration developed the EULE Media Monitor / 360°Topic-Monitoring system, which aims to help parliamentarians stay up to date by delivering information in an easy-to-access web-based form. However, this newly won independence is still circumscribed by the strong culture of party discipline, which is not defined by explicit rules but rather by the party leadership's power to nominate committee members and electoral candidates.

Citation:

<https://www.ipu.org/innovation-tracker/story/austria-uses-ai-keep-mps-informed>

Obtaining
Documents
Score: 9

Currently, all parliamentary committees have the power to ask for any kind of document. However, documents deemed "secret" can only be viewed in a special parliamentary room and cannot be copied.

Significant portions in government documents obtained by newly formed investigative committees were redacted, ostensibly for the purpose of protecting privacy. This resulted in an uproar among members of parliament and demonstrated that committees are entitled to obtain documents, yet the government can create significant limitations in accessing parts of these documents.

The Austrian Constitutional Court has repeatedly strengthened the position of investigative committees relative to the government when it comes to obtaining documents and other data. For example, in early 2021, the Constitutional Court ruled that the minister of finance was obliged to provide the investigative committee investigating the “Ibiza affair” (which led to the fall of the ÖVP-FPÖ government in 2019) with access to the emails and other stored data of staff members of the federal Ministry of Finance.

https://www.vfgh.gv.at/downloads/VfGH_03.03.2021_UA_1_2021_Erkenntnis.pdf

Summoning
Ministers
Score: 8

Parliamentary committees may summon ministers. When summoned, ministers (or their state secretaries) do attend the respective meetings. The legal ability to summon ministers is in practice limited by the majority that the governing parties have in all committees. As the majority party groups tend to follow the policy defined by the cabinet, there typically is little interest in summoning cabinet members, at least against the minister’s will. While this de facto limitation can be seen as part of the logic of a parliamentary system in which the government and the parliamentary majority are essentially a single political entity, the high level of party discipline in Austria is an additional influence.

In a parliament in which three opposition parties, as in the Nationalrat elected in 2019, governments generally tend to face greater criticism regarding their willingness to answer critical questions in parliament as extensively as possible.

The particular political importance of summoning ministers and the chancellor became clear in 2021 when Chancellor Kurz’s alleged false testimony to the Ibiza Investigative Committee became the source of a major judicial inquiry, which eventually led to Kurz’s resignation.

Summoning
Experts
Score: 10

Parliamentary committees have no formal limits in terms of summoning experts. Every party, including the opposition (i.e., the committee’s minority parties), can nominate or invite experts it deems qualified. Expert hearings are held regularly and frequently. However, this opportunity is not always used in the best-possible way. The twin factors of party discipline and cabinet dominance over the parliament’s majority mean that independent expert voices do not ultimately have great influence.

The coronavirus pandemic gave rise to some spectacular incidents concerning experts reporting to the parliament. In 2021, a senior scientific expert was accused of lying about coronavirus-related facts by the FPÖ, which led to the abrupt termination of the hearing.

<https://www.diepresse.com/6034876/eklat-bei-expertenhearing-fpoe-bezichtig-aerztekammer-praesident-der-luege>

Task Area
Congruence
Score: 9

Though parliamentary committees outnumber ministries, the task areas of parliamentary committees are more or less identical to the tasks of the ministries with only minor exceptions. The National Council's General Committee enjoys a kind of overall competence, including deciding the government's position within the European Council.

Media

Media Reporting
Score: 6

In Austria, about one-half of the mass media brands focus on high-quality information content, analyzing the rationale and impact of public policies. While the marked share of the country's largest tabloid newspaper, Kronenzeitung, was down to less than 25% in 2021, two (free) tabloids, Heute and Österreich (the third and fourth largest Austrian newspapers), represent more than 15% of the combined market share. The latter two newspapers cannot be described as quality papers, as no serious analysis of policies is carried out and even some form of propaganda, not to say misinformation, is transported over these channels, as became clear during the investigation that ultimately led to the resignation of former chancellor Kurz. With a market share of 7.3%, the left-wing Standard is now the largest national quality paper. Generally, high-quality political information is available from several daily and weekly papers with more limited circulation, but these high-quality media face considerable financial difficulties.

The radio and television broadcast markets continue to be dominated by the publicly owned Austrian Broadcasting Corporation (ORF), although competition by foreign and privately owned media is growing. In response to criticism of this dominance, the ORF offers guarantees of internal independence and internal political pluralism. The ORF is impartial by law and fulfills its mandate reasonably well, making up for deficits existing elsewhere in the media environment. That said, the election of a new director-general of the ORF in 2021 was widely seen as an open political maneuver, in which the ÖVP as the country's current dominant governing party used its political clout to install its candidate. This episode apart, there was widespread concern that the coronavirus pandemic posed a serious threat to critical journalism.

<https://www.leadersnet.at/news/53507,media-analyse-2021-42-millionen-leserinnen-bleiben-der.html>
<https://www.derstandard.at/story/2000128851631/pressestimmen-nach-orf-wahl-ein-sorgsam-durchkalkulierter-deal>

https://politische-akademie.at/userfiles/files/downloads/FFI_Report_112020.pdf

Parties and Interest Associations

Intra-party
Decision-Making
Score: 4

The Austrian party system is going through a process of deconcentration. The traditionally dominant parties – the Social Democratic Party (Sozialdemokratische Partei Österreichs, SPÖ) and the conservative, Christian democratic Austrian People’s Party (Österreichische Volkspartei, ÖVP) – have experienced an almost uninterrupted decline since 1980. Winning 37.5% and 21.2% of the total vote in the 2019 national election, they are however still the country’s two largest parties. At the national level, the FPÖ has been the second largest party (rather than the largest) during only one government term, back in 1999.

In general, the major parties have spent little time developing intra-party democracy and have focused instead on appealing to specific groups, whose support is considered necessary to win elections. In preparation for the 2017 general elections, the ÖVP changed its traditional procedure for nominating candidates. The party transferred total authority for the nomination process to one person, the party’s candidate for the Chancellor’s Office, Sebastian Kurz. This did not change for the 2019 elections, with the ÖVP remaining the party of Sebastian Kurz. This development must be seen as a significant decline in intra-party democracy and carries some similarities to what is currently happening to the U.S. Republican Party under the influence of former president Trump.

In contrast to the ÖVP, the other parties have largely followed their traditional procedures, ensuring that the different intra-party interests continue to be represented. However, after losing its primary position in parliament and now in opposition, the SPÖ has started to reform its internal decision-making procedures, which will give party members a stronger role. This was first exemplified in the decision about the new mayor of Vienna, Michael Ludwig. The SPÖ’s new national party leader, Pamela Rendi-Wagner, was initially chosen by the traditional process in 2018. However, in 2020, she was confirmed by a party member vote in which more than 41% of party members participated, with 71.4% backing Rendi-Wagner.

Association
Competence
(Employers &
Unions)
Score: 7

The role of economic interest groups is still very strong in Austria: Significant associations include the Austrian Economic Chambers (Wirtschaftskammern) and the Federation of Austrian Industry (Die Industriellenvereinigung) for business and employers; the Austrian Trade Union Federation (Österreichischer Gewerkschaftsbund) and the Austrian Federal Chamber of Labor (Arbeiterkammern) for employees; and the Chamber of Agriculture (Landwirtschaftskammern) for farmers. In many cases, interest groups continue to formulate (almost) complete laws by themselves, which parliament

subsequently only needs to approve. These groups' ability to shape politics may have been reduced as a result of Austria's integration into the European Union, but – in domestic politics – their influence remains strong. Though formally independent of political parties, the groups have various individual links to the parties, especially to the Social Democratic Party and the Austrian People's Party. Moreover, their influence is enhanced by their practice of acting in a coordinated, neo-corporatist way through the social-partnership network.

This has changed to some extent in recent years. The SPÖ's closest allies have lost ground after the party's fall from power in 2017. The formation of a new coalition government between the ÖVP and the Greens early in 2020 continued the post-2017 policies. In fact, the ÖVP-Green government was the first national government that did not include any minister representing the government's social partners (Sozialpartner).

Citation:

<https://www.addendum.org/politometer/eine-regierung-ohne-sozialpartner/#:~:text=Eine%20Regierung%20ohne%20Sozialpartner%20%2D%20Addendum&text=Die%20t%C3%BCrkis%2Dgr%C3%BCne%20Koalition%20ist,Minister%20oder%20Staatssekret%C3%A4r%20vertreten%20ist.&text=hatte%20zuvor%20eine%20Funktion%20in%20einer%20der%20sozialpartnerschaftlichen%20Organisationen.>

Association
Competence
(Others)
Score: 6

Alongside economic interest groups, organized religious communities, particularly the officially recognized denominations, have a formalized role within the decision-making process. The peculiar Austrian institution of “officially recognized religious denomination” institutionalizes the participation of major religious groups within policymaking. Like the economic interest groups, they are – often, though not always- consulted before the cabinet approves the draft of a law. This is a critical stage of the process, as most cabinet-approved drafts are also approved by parliament.

A number of other groups occasionally exert notable influence, including the physicians' chamber, various environmental groups (e.g., Greenpeace) and some human rights organizations (e.g., Amnesty International).

It must be emphasized, however, that not all draft proposals are subject to consultation procedures. A ruling majority can push through a legislative agenda, without formal consultation with interest groups. This happens from time to time, particularly when the government is in a hurry to pass a bill.

The capability of noneconomic groups to formulate policies is, overall, considerably more limited than that of economic interest groups, particularly professional associations.

Independent Supervisory Bodies

Audit Office
Score: 10

The Austrian Court of Audit (Rechnungshof) is an instrument of parliament. Its president is elected by parliament for a period of 12 years, without the possibility of re-election, which gives the president a certain degree of independence.

The Court of Audit reports regularly to parliament and parliament can order it to perform specific tasks. Consequently, the parliamentary majority determines how to handle audit reports and, in cases of doubt, the majority backs the cabinet. Thus, the main vehicle to force the government to react in a positive way to audit reports is public opinion. The Court of Audit enjoys an impeccable public reputation, which affords it a powerful role in constitutional practice.

One problem is the insufficient funding of the Court of Audit, while, at the same time, an increasing number of tasks are delegated to the court by the governing majority. There are also areas in which the court cannot make inquiries. It may be seen as a compliment that, in 2019, the majority in parliament denied the Court of Audit direct access to party finances, to which the court reacted in 2021 by providing its own suggestions for a reform of the party finance law. The court also criticized the government's "chaotic" handling of its coronavirus policies, which had undermined public trust and limited the effectiveness of some measures.

Citation:

<https://www.wienerzeitung.at/nachrichten/politik/oesterreich/2121209-Rechnungshof-Corona-Politik-chaotisch-und-unuebersichtlich.html>

https://www.rechnungshof.gv.at/rh/home/news/news/news_2/Rechnungshof_legt_Vorschlag_fuer_ein_wirk_sameres_Parteien.html#

Ombuds Office
Score: 9

The Austrian Ombudsman Board (Volksanwaltschaft) is a parliamentary instrument and reports regularly to the legislature. It consists of three chairpersons that are elected for six years. The three largest party groups in parliament nominate one chairperson each. Parliament is required by law to select the nominees. Ombudspersons are typically very experienced as politicians at the local or regional level and even more so at the national level, and previously active in party-related associations or organizations before joining the Austrian Ombudsman Board (AOB). Qualitative interviews with case-handling staff demonstrated that despite the institution's public efforts, and many interviewees' reassurances that the AOB is independent and acts accordingly, there are several areas in which party-related positions become visible in the AOB's work. While the AOB has wide-ranging competences, it

recently called for an extension of its responsibilities to include public sector organizations.

Citation:

https://www.researchgate.net/profile/Juraj-Nemec/publication/347826593_Public_Policy_during_COVID-19_Challenges_for_Public_Administration_and_Policy_Research_in_Central_and_Eastern_Europe/links/5feb3cc745851553a004c45e/Public-Policy-during-COVID-19-Challenges-for-Public-Administration-and-Policy-Research-in-Central-and-Eastern-Europe.pdf#page=183

https://www.parlament.gv.at/PAKT/PR/JAHR_2020/PK0576/

Data Protection
Authority
Score: 9

Since 2013, the Austrian Data Protection Authority (ADPA) has existed, which replaced the former Data Protection Committee. In 2018, the ADPA was restructured and, since then, its staff has been continuously increased. The office is headed by a chairperson appointed by the Data Protection Council. The office and its chairperson are not dependent on the government – they are not obliged to follow any specific government directive. The independence of the office has never seriously been questioned. In recent years, there were several occasions on which the ADPA demonstrated its willingness to block planned government laws if deemed inappropriate, such as its veto against the use of algorithms by public authorities when dealing with job-seekers in 2020.

Citation:

<https://www.data-protection-authority.gv.at/>

<https://orf.at/stories/3178244/>

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