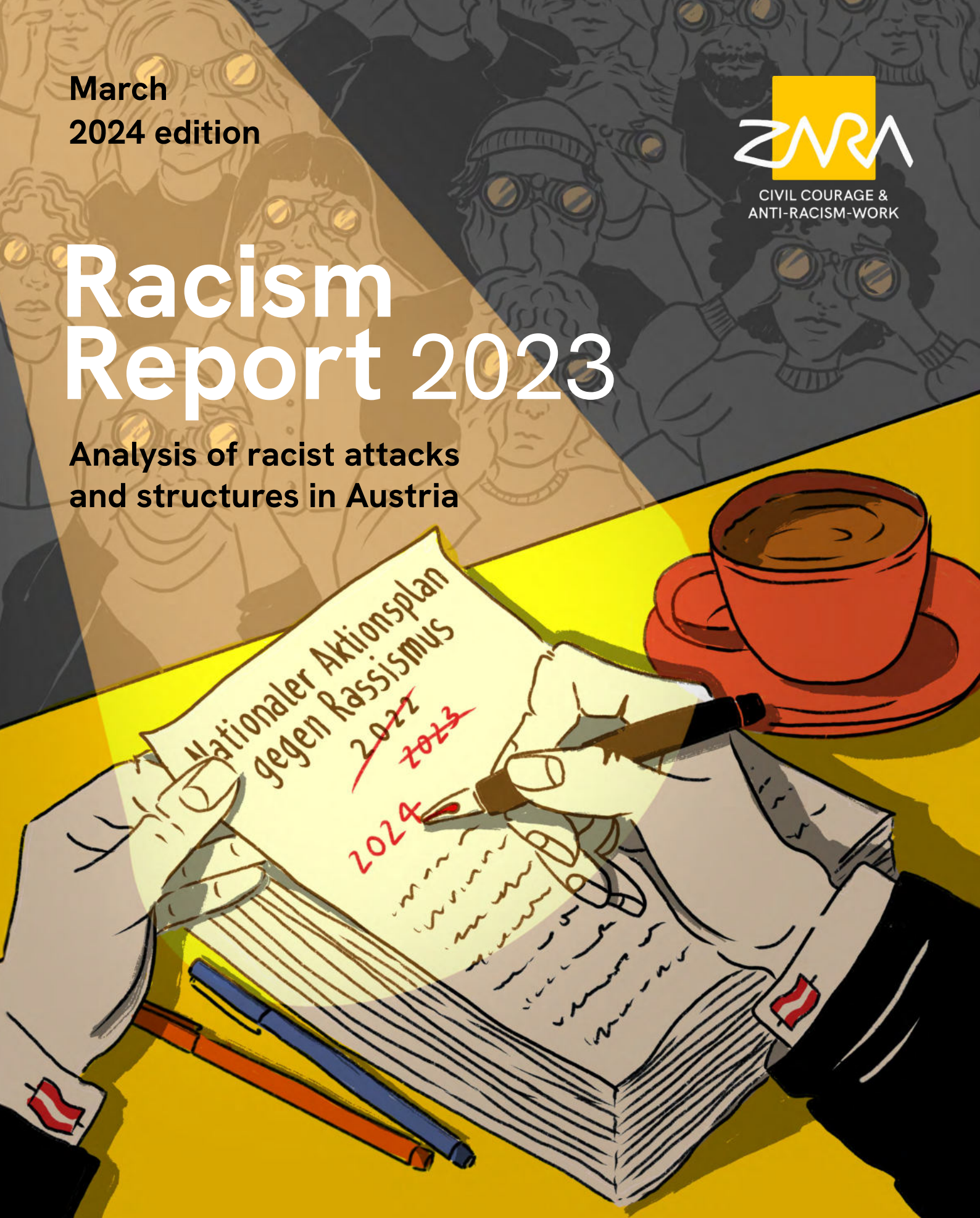
March
2024 edition

ZARA
CIVIL COURAGE &
ANTI-RACISM-WORK

Racism Report 2023

Analysis of racist attacks and structures in Austria



Together against racism –
a national action plan in sight?

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GEMEINSAM STARK für Margareten

Bezirksvorsteherin Silvia Janković:
“Partizipation ist ein Kernwert, um Rassismus zu vermeiden”

Es ist mir ein wichtiges Anliegen, dass alle Menschen in unserem Bezirk am demokratischen Prozess teilnehmen können. Dies sehe ich als ein starkes Zeichen der Gemeinschaft und als einen Schritt gegen Ausgrenzung und Rassismus.

In unserem Bezirk sollten alle Einwohner*innen die Möglichkeit haben, ihr Grätzel mitzugestalten. Deswegen haben wir bereits einige erfolgreiche Initiativen wie das **Kinder- und Jugendparlament**, das sich durch seine interkulturellen Projekte auszeichnet. Ein tolles Beispiel dafür ist die Modernisierung des Leopold-Rister-Parks: eine Umgestaltung, die von vielen innovativen Ideen der Margaretner*innen geprägt ist.

Ein weiteres vorbildliches Projekt ist das **Repaircafé**, welches im Zuge des **Wiener Klimateams** von Bürger*innen als ein Vorhaben für eine nachhaltige Zukunft eingebracht wurde.
Besuchen Sie unser Café im 48er Tandler an den folgenden Tagen: 10. April, 17. Mai und 19. Juni - jeweils 13 bis 18 Uhr!

Das Einbeziehen engagierter Bürger*innen, die sich leidenschaftlich für die Entwicklung von Wien einsetzen, ist etwas, das ich sehr schätze.



(c) Alexander Müller



Entgeltliche Einschaltung - weitere Informationen zum Bezirk finden Sie unter margareten.wien.gv.at
Kontaktieren Sie Bezirksvorsteherin Silvia Janković gerne unter Tel: 01/4000 05111 oder per E-Mail an post@bv05.wien.gv.at

Sensitive use of language:

In this report, the term Black is capitalised while the term *white* is written in lower case and italics. This approach was chosen to show that these terms do not refer to biological classifications, or even skin colours, but rather social constructs. The term Black is a self-designation that refers to the shared experiences of a particular group of people. The term *white* is written in italics to highlight that it refers to the social, economic and political privileges of certain people, and their more powerful position in society. The racist words N**** and M*** are only implied, in order to not reproduce them. ZARA is committed to speaking out against racism towards Roma and Sinti, and avoids the use and implication of the G-word, as both can be re-traumatising. The term People of Colour (PoC) is a self-designated term of people subjected to racism.

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Editorial staff: Maria Al-Mahayni, Fiorentina Azizi-Hacker, Karin Bischof, Thanina Chikhoune, Ada Diagne, Amina El-Gamal, Golrokh Haddad, Rita Isiba, Désirée Sandanasamy, Rakhi Schmuck, Bianca Schönberger, Iva Jugović

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Contents

6 Editorial

8 Data and analysis 2023

14 National action plan against racism

14 Reflections on a national action plan against racism – 'and know that they're in good company.' – Madge Gill Bukasa
16 Paving the way for an inclusive future: advancing equality within the Austrian school system – Aquea Lamptey
18 Expectation versus reality: the Investigation and Complaints Office and its role in investigating police violence – Désirée Sandanasamy
20 Three years after Operation Luxor – the criminalisation of civil society continues – Farid Hafez
22 'A plan of action is only as good as its implementation' – the difficulties and opportunities of a NAP against racism
25 KNOW YOUR RIGHTS – Dealing with the police (tear-away)

28 ZARA Training: 'A thousand paper cuts': How to recognise microaggressions and what I can do about them

30 Areas of life 2023

32 Racist incidents

32 Internet
35 Public sphere
38 Graffiti
40 Goods and services
40 Living and housing
43 Retail, gastronomy and other commercial services
46 Public authorities and institutions
49 Politics and media
52 Police
55 *Information: Employment – Know your rights*

58 Our demands for a national action plan against racism

68 Contact points for victims of racism

69 Glossary

Editorial

Rita Isiba
Managing Director
of ZARA

Dear readers,

Over the years, in our Racism Report we've been precisely documenting the data we've collected, the challenges in our field of work and the resulting solutions. By combining this knowledge with expertise from the public and private sectors and civil society, we've developed effective strategies to combat structural and institutional racism.

ZARA's continued success is the result of a multifaceted, transcultural and multidisciplinary team that currently consists of approximately 20 experts. Our team works together with our cooperation partners to advocate for the rights of marginalised communities, provides legal assistance and offers important resources to promote an inclusive society. This persistent commitment is also highlighted by this year's Racism Report, which emphatically calls for a national action plan and provides clear backing for the demands contained within it.

The national action plan aims to meet the standards of the UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and Article 14 of the European Convention on Human Rights, which makes it clear that any form of discrimination is unlawful.

With four clearly defined goals, our demands in this year's report offer a roadmap for a society that is anti-racist and anti-discrimination.

Goal 1: Ensure safety and support for victims of racism.

Goal 2: Promote equal opportunities and equal treatment.

Goal 3: Make participation and representation possible.

Goal 4: Stand in solidarity for an anti-racist society.

National action plans and similar endeavours are nothing new in Austria; we have a history of implementing such projects in various areas, such as for tackling social challenges, promoting equality or ensuring the prosperity of citizens.

We cannot emphasise often enough that a national action plan is one of the most important foundations for combating racism, and requires a collaborative approach by constructive political forces, civil society, experts and those directly affected by racism themselves. It goes without saying that this is no easy undertaking. The challenge is to make the gravity of the situation clear and to convince decision makers in politics – above all members of the government – that structural racism is a serious and widespread problem.

Another challenge is undoubtedly the financial aspect. Implementing a national action plan requires sufficient funding.



We can also assume that certain parts of society have no interest in such changes – perhaps out of fear for their privileges, because of their beliefs, or out of ignorance of the extent to which racist conditions also harm them.

To this end, we organise public forums, discussion panels and workshops in which politicians, experts, activists and the general public can reflect on and discuss current developments in the field of anti-racist work in order to work on further solutions. These events also offer a space to evaluate different endeavours and provide an opportunity for discussion and constructive criticism. We can only ensure that the fight against racism receives wide-reaching societal support and enable diverse perspectives on the resulting challenges by forming a broad coalition, which can ensure that necessary societal processes are met with greater acceptance.

I'd like to take this opportunity to point out two new developments. For two years now, we have been referring victims and witnesses of discrimination at work to the Ombud for Equal Treatment and the Chamber of Labour. We have begun documenting these cases again since January 2023. In future, these cases will once again be documented in our report in the 'Employment' area of life. I can also announce that we at ZARA have opened up a new area of work: following numerous, extensive discussions with leading figures from the private sector, we have set up the 'Corporate Cooperation' area of work this year.

We want to ensure our activities are even more stable and future-proof, and increased resources are absolutely needed and urgent, especially in times of local and global crises. The counselling team can only respond to emotionally taxing enquiries in good time if it has a wider range of staff. ZARA therefore depends on funding, cooperation and donations to have the resources it needs to investigate racist offences and take appropriate action against them.

In order to advance our collective fight against racism and implement the vision of an inclusive society, we need a strong, united commitment from all levels of society. The proposed national action plan offers a unique opportunity to make this vision a reality.

Together, we are taking decisive steps to eradicate racism and look forward to continuing this important work with your help. By working together, we can lay the foundations for a future in which equality and respect are the cornerstones of our coexistence. Let's seize this opportunity to stand united against racism and work together to bring about lasting change. It's up to us to take the next step.

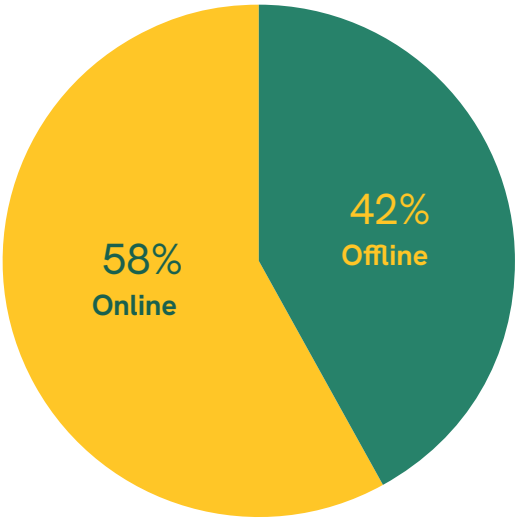


Rita Isiba
is an economist and teaches Community Engagement and Empowerment as part of the Master's programme for Applied Human Rights at the University of Applied Arts Vienna.

Photo: Ramazan Yıldız

Data & analysis 2023

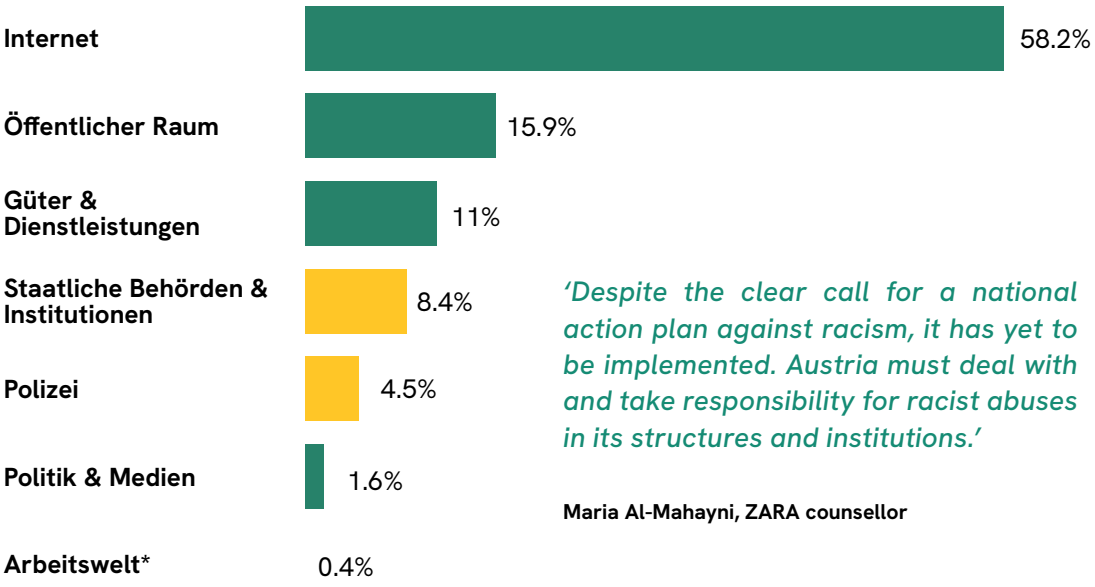
In 2023, ZARA documented and handled 1,302 reports of racism. 758 of the reports – approximately 60% – took place online.



'Online racism is easier to report compared to other areas of life. A clear screenshot is enough to establish the facts of the case, leading to a comparatively high number of reports.'

Claudia Grobner, ZARA counsellor

We need structural changes in every area of life in order to address racism. In more than 1 out of 10 reported incidents, racism was perpetrated by the state.



'Despite the clear call for a national action plan against racism, it has yet to be implemented. Austria must deal with and take responsibility for racist abuses in its structures and institutions.'

Maria Al-Mahayni, ZARA counsellor

* Reports relating to work are referred to the Ombud for Equal Treatment and the Chamber of Labour.

Police

Formal complaints were filed in only 4 out of 58 cases of racist police violence.



Instead of filing formal complaints, clients primarily used ZARA's services: relief interventions, legal counselling, drafting complaints and accompaniment.



'Racially motivated police violence illustrates how the system of racism silences people: victims filed ***official complaints*** *in only* ***1 out of 10 police incidents*** *reported to us, due to issues like secondary victimisation, significant financial risks and the emotional burden shouldered by victims. The* ***Investigation and Complaints Office*** *must first* ***prove itself an easily accessible, efficient and trustworthy tool*** *in order to break through this widespread form of institutional racism. That's what we're working towards and that's the standard it will be judged on.'*

Désirée Sandanasamy, ZARA counsellor

What is the Investigation and Complaints Office for Police Conduct (Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe – EBM)?

The Investigation and Complaints Office is an independent office within the Federal Bureau of Anti-Corruption (Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung – BAK). It was established on 22 January 2024. Nationwide, it is exclusively responsible for investigations and enquiries into allegations of mistreatment by police officers and the use of direct coercive force.

ZARA is one of seven members of the EBM Advisory Board, an independent body that accompanies, advises and monitors the Investigation and Complaints Office's work.

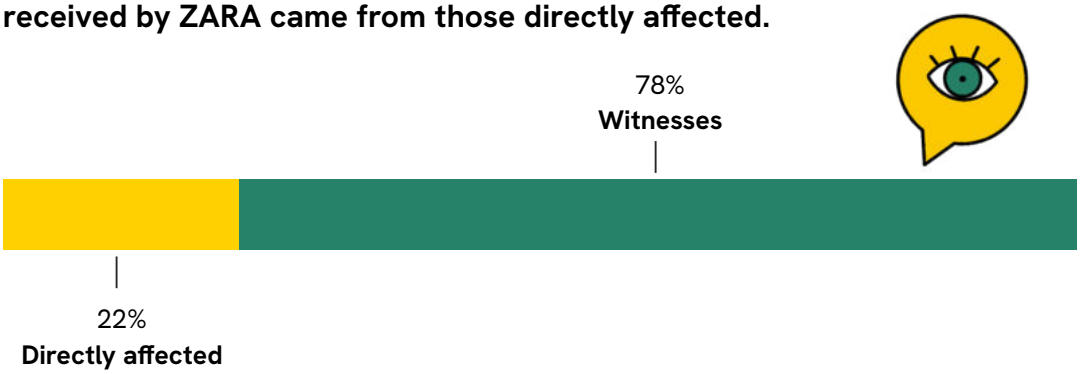
Active against racism: anyone who denounces racism online or offline must be acknowledged and protected.

In 2023, ZARA was made aware of an incident at a school where a courageous student reported racist messages by classmates in a WhatsApp group and was subsequently ostracised herself.

'It's clear that prevention work is extremely important in the school environment. Raising awareness of what is acceptable online and offline and where the boundaries are is vital. There also needs to be clear guidelines for teachers and school directors to respond appropriately to racism and ensure the safety of the students involved.'

Hizra Chaudhry-Bećirović, ZARA counsellor

Nearly 8 out of 10 reports came from witnesses. 22% of the racism reports received by ZARA came from those directly affected.



A Black woman turned to ZARA in 2023 because she was subjected to racist and sexist insults and threats by a person she had met through online dating. After she had no interest in meeting again following the first date, the person bombarded her with messages in which he threatened to sexually assault her daughter, among other things. As she and her daughter were the only Black people living in a village known to the perpetrator, the danger was very real. The victim therefore reached out to ZARA.

'The incident where a Black mother was subjected to racist and sexist insults and threats from an online dating contact shows that online and offline lives are not disconnected from each other. Racism and sexism rob women of their safety. As part of the counselling, we advised the woman concerned to go to the police, who acted positively: the perpetrator was warned and apologised to the mother. The case shows how effective receiving support can be.'

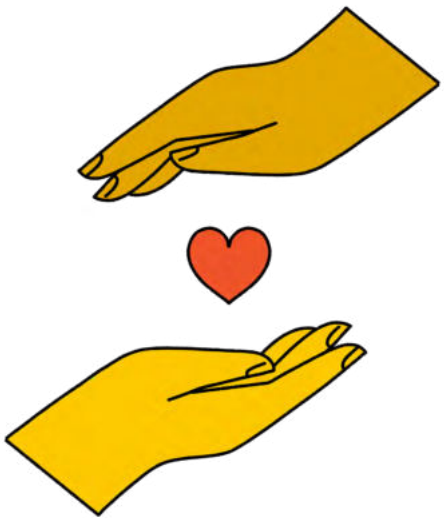
Golrokh Haddad, ZARA counsellor

Not only do the number of racist incidents reported to ZARA rise every year, but also the need for intensive counselling.

In 2023, ZARA provided personal counselling for racist incidents 1,708 times. Individual counselling via email (52%) and telephone (37%) were particularly popular, followed by personal counselling and accompaniment (8%).

ZARA took legal measures and used other interventions 702 times.





'Counselling can provide relief and help show people how to deal with the racism they have experienced. Unfortunately, taking action against racism is highly burdensome for victims and often made difficult due to the perpetrators' lack of understanding. Victims would often be satisfied with insight and an apology; instead, perpetrators deny their responsibility or even continue their behaviour. Overall, dealing with racism is made more difficult by the fact that all too many people think that their behaviour was not racist at all or that racism doesn't concern them.'

Fighting racism in Austria is a difficult and often frustrating task.

'That's why we need you as an ally: to be able to support victims in these situations with a wide range of counselling services. Support ZARA with a donation or by becoming a supporting partner and be part of the movement for an anti-racist society.'

Fiorentina Azizi-Hacker,
Head of the ZARA Counselling Centre



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ROTER
RATHAUS
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Vielfalt ist
Wiens Stärke
Wir in Wien leben Zusammenhalt.
Artikel 1:
Alle Menschen sind frei
und gleich an Würde
und Rechten geboren.
Allgemeine Erklärung der Menschenrechte
Dr.in Mireille Ngosso
Wiener Gemeinderätin & Landtagsabgeordnete

Reflections on a national action plan against racism – ‘and know that they’re in good company.’

Firstly, let’s take a look at the need for a national action plan against racism from today’s perspective. For example, the teenager who, after spitting on the ground during the COVID-19 pandemic, was asked by a Viennese police officer why he isn’t in Africa[1]. Or a student of African descent who was described as ‘rubbish’ by her classmates and changed schools as a result. Or the politician who read out the names of 21 children from a primary school class with a suspected migrant background one by one at a state parliament session and then talked about asylum seekers committing crimes. Structural racism lies behind all these incidents, and remains entrenched in social systems such as politics, the executive branch, education and the economy.

Structural racism is defined as historically and socially grounded power relations that are anchored in a society’s structures and decision-making processes. It contradicts the principle of equal treatment for all and leads to discriminatory profiling by the most important institutions in a country. Additionally, it prevents equal access to resources and services. However, due to its deeply ingrained social roots, discrimination is often more difficult to recognise than in the examples given above. Structural racism means that behaviours can be unintentionally racist – and therefore violent.

What all these incidents have in common is that, although the situations themselves are temporary, they reach no definite conclusion. Rather, they are the beginning of something that becomes anchored in the consciousness of the victim – an awareness that they have been subjected to racial discrimination and that the perpetrators of these acts rarely or never experience any consequences.

Government officials, institutions, organisations and countless Austrians are fundamentally committed to the idea that racism has no place in our society. So, why is there such a sluggish approach to the national action plan (NAP) against racism? Why have an ‘Action plan against right-wing extremism and religiously motivated political extremism (political Islam)’ and a ‘National strategy (NAS) against anti-Semitism’ been laid out in the government’s programme, leading to numerous encouraging measures in 2021 and 2022 – but no general strategy against racism to date? It’s important for Austria’s democracy that the diversity of people is not only accepted, but actively embraced and defended.

1 State administrative court Vienna – case number VGW-102/067/9788/2020: www.ris.bka.gv.at/Dokumente/Lvwg/LVWGT_WI_20201102_VGW_102_067_9788_2020_6_00/LVWGT_WI_20201102_VGW_102_067_9788_2020_6_00.html

Let's look back at the origins of the call for a national action plan against racism.

On 22 April 1996, in the 11th legislative period during the fourth session of Austria's National Council, then chairman of the SPÖ, Dr Bruno Pittermann, stated: *'The members of parliament reject any resurgence of racism or illiberal National Socialism, and know that they are in good company.'*[2]

This was the first record touching on the subject of racism – one of only 536 entries on the subject in the Austrian Parliament's stenographic records from 1918 to 2023 – and naturally refers to anti-Semitism. Mention of a 'national action plan against racism and xenophobia' first appeared in the National Council's 22nd session on 10 May 2000, in a speech by ÖVP MP Dr Michael Spindelegger. He asked: *'When he (Gusenbauer) states that there should be a national action plan against racism and xenophobia, I would like to ask him: what kind of national action plan?'*[3] Now, 23 years later this task still seems insurmountable for the MPs – a never ending story.

Austria's anti-racist civil society has been highly active since the 1970s at the latest, giving shelter to 'foreigners', organising demonstrations and rallies, erecting monuments, holding vigils, staging performances, denouncing right-wing extremist politicians, uncovering internal abuses, informing, publishing, deploying, showing solidarity and more. And yet, a very recent study by the EU Fundamental Rights Agency (FRA)[4] shows that Austria has the highest levels of discrimination against people of African descent. The study shows, for example, that Black people and people of African descent in Austria experience police discrimination more frequently than average (53 percent of the men and 24 percent of the women surveyed). But the report's findings have not been reflected in the form of charges, condemnations of law enforcement agencies, campaigns for civil courage or television debates. This illustrates the *existence of systemic racism*[5] – and overcoming it cannot be the sole task of individual politicians, institutions, organisations and actors: it requires a shared national effort.

In September 2000, the European Commission presented the 'EU Anti-racism Action Plan 2020–2025': *'The global Black Lives Matter movement has acted as a stark reminder. It is time to acknowledge and act against the prevalence of racism and racial discrimination, to consider what we can do, engaging at local, national, EU and international levels."*[6]

Let's consider what a national action plan against racism means for our future: embracing diversity and equality!

2 Fourth meeting of the National Council on 22 April 1966 (4/NRSITZ): www.parlament.gv.at/gegenstand/XI/NRSITZ/4

3 National Council, XXI. GP 10 May 2000 22nd session/127: www.parlament.gv.at/dokument/XXI/NRSITZ/22/fname_114399.pdf

4 Being Black in the EU – Experiences of people of African descent: fra.europa.eu/en/publication/2023/being-black-eu

5 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A union of equality: EU Anti-racism Action Plan 2020-2025: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0565

6 ibid.



Madge Gill Bukasa is an author, head of the association 'Die Bunten' and editor-in-chief and publisher of the *buntesAT* journal. Recognising that the mainstream media constitutes a privileged forum, she publishes from the perspective of the Global South. Under her leadership, the association is offering a workshop on the topic of cultural appropriation.

Photo: Maxime Atebat

‚Paving the way for an inclusive future: advancing equality within the Austrian school system'

Racism is deeply rooted in Austrian society and affects all areas of life. As such, concrete measures are needed to recognise and effectively combat structural and institutional racism.

ZARA's 2022 Racism Report[1] pointed out structural inequalities on the basis of ethnicity, skin colour and religion in Austria. It's vital to define concrete measures in order to foster an inclusive society. Recognising structural and institutional racism is the first step to reducing these problems.

In Austria, raising awareness in all institutions, at all levels, is needed to recognise and prevent discrimination. A scientific study could investigate decision makers' awareness of institutional or structural racism in various sectors, such as business, politics, education and the police. The subsequent findings could form the basis for targeted measures – including not only training, but also formulating position papers that promote awareness of the impact of racism.

Creating an inclusive society requires clear equality policies. The goal of a national action plan should be to ensure the equality and equal treatment of all residents. This includes reviewing and revising laws in order to reduce discrimination, and supporting diversity and inclusion in public institutions. Cooperation with legal practitioners can provide assistance with implementing the legislative review and revision.

The education system plays a vital role in shaping the values and beliefs of future generations. Integrating an anti-racist curriculum, training teachers and comprehensively reworking lesson plans to ensure a diverse, inclusive perspective are necessary to create effective measures to protect against racism.

'Advancing Equality Within the Austrian School System (AEWTASS)' advocates for an Austrian education system that is free of discrimination.

Founded in 2019 with a team of 24 people, *AEWTASS* focuses on improving the representation of people of African descent and the diaspora within the Austrian education system. *AEWTASS*'s range of services covers several areas: academic analysis of school books, workshops that deconstruct racist content, creating their own learning material, implementing Black perspectives and developing a learning platform. Additionally, *AEWTASS* offers seminars on the topic of 'Unconscious bias in teaching', which aims to increase teachers' awareness of unconscious prejudices and give them tools to create an inclusive and diverse

1 presse.wien.gv.at/presse/2023/03/21/zara-rassismus-report-zeigt-wichtigkeit-von-strategien-zur-bekaempfung-von-rassismus

learning environment. Participation can contribute to actively reducing prejudice in the education system and creating the foundation for a more just society.

Financial resources are required for organisations to effectively implement such programmes. It's essential to provide enough funding for anti-racism initiatives who work to increase awareness, support education programmes and actively promote a more equitable society.

New associations and organisations with a limited budget face the challenge of obtaining sufficient financial resources. For many, supplying their own funds and advance payment of invoices are additional barriers. Organisations that could develop innovative ideas and successful measures to reduce racism fail due to missing resources. The Ministry of Education should therefore establish structural support, for example through eduction programmes.

The Vienna Institute for the African Diaspora (VIAD[2]), the funding body of the education initiative Advancing Equality Within the Austrian School System (AEWTASS), therefore welcomes the call for a national action plan against racism in Austria.
A national action plan against racism is an urgently needed step to put Austria on the path towards a more inclusive and equitable society. It's time to adopt concrete measures based on the human rights principles of equality and non-discrimination. Only through collective action can we create a future that is free of racism, where every person in Austria is respected and treated equally.

2 https://aewtass.org/en/about

Aquea Lamptey works in product management in the private sector. Since 2019, she has been head of the AEWTASS project, which she founded, and is responsible for its organisation, funding and team management. In addition, she organises panels, including the ArtSeeks Communications series 'Who Speaks For Whom'.

Expectation versus reality: the Investigation and Complaints Office and its role in investigating police violence

What has it achieved?

The newly established Investigation and Complaints Office for Police Conduct (Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe – EBM) began its work in January 2024. In the 2020–2024 executive agreement, the federal government made a commitment to ensure consistent and independent investigations into allegations of police mistreatment and to create a dedicated investigation and complaints office. In spring 2023, the ministerial draft bill for establishing an investigation and complaints office was published. ZARA, like many other NGOs, had been working extensively on this issue and commented on the ministerial draft. The amended law was passed in summer 2023. Some points of criticism were taken into account and incorporated, but some concerns remain. Nevertheless, creating an investigation and complaints office is the first important step in the right direction.

Why is the Investigation and Complaints Office important?

Allegations of mistreatment lodged against the police, which can also be punishable under criminal law, are rarely reported – and even fewer are brought to court. Filing a complaint can have far-reaching consequences for the victim: in the worst case, a defamation countersuit could be filed. According to a study by the Austrian Center for Law Enforcement Sciences (ALES) at the University of Vienna, 10% of the investigated cases investigated involved a defamation countersuit. During the study's observation period from 2012–2015 in Vienna and Salzburg, there were hardly any charges and not a single officer was convicted. The structural deficiency is clear here: in cases of police violence, the police investigate themselves. In addition, disciplinary measures are not communicated externally and are not made transparent to the public. There have also been cases in Austria where a criminal conviction was handed down but no strict disciplinary measures, such as suspension, were taken, which was justified by the fact that the minimum and maximum penalties lie below the threshold that requires such action by law.

ZARA's counselling centre !AgainstRacism has conducted many counselling sessions with victims of racist police violence. There are several reasons why many clients are wary of making a complaint. The latest Minorities and Discrimination Survey study by the European Union Agency for Fundamental Rights continues to show that the majority (64%) of people who experience some form of racial discrimination do not report it anywhere – not even to civil organisations. Thirty-six percent of people stated that they don't report

incidents because they don't believe that anything would happen or change as a result[1]. When it comes to the police, the lack of trust that racism will be dealt with is even greater. The same study from 2018, which dealt even more extensively with the topic of discrimination and the police, found that of all marginalised people who felt they were treated contemptuously by the police only 9% reported this behaviour or filed a complaint[2]. Three main factors play a particularly large role. One is that the existing complaint options are full of hurdles: without prior legal knowledge, it's nearly impossible to know about the options available, let alone submit a complaint in the correct form. Furthermore, there is also the – unfortunately often justified – fear of experiencing retaliation if a complaint is lodged. For example, following a complaint, a client received administrative penalties for allegedly aggressive behaviour during the official proceedings. Especially for people who do not have a secure residence permit or who want to apply for citizenship, this fear can lead to them not asserting their rights. Additionally, procedural complaints (→ Glossary, p. 71) are associated with a considerable cost risk.

Due to high barriers of access and a lack of trust in the existing complaints process, ZARA has long been calling for an independent complaints office for allegations of abuse to be established.[3]

How has the Investigation and Complaints Office been implemented?

In particular, the Investigation and Complaints Office's lack of independence of is questionable. The Investigation and Complaints Office is part of the Federal Bureau of Anti-Corruption (Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung – BAK), and like the entire police structure, is under the authority of the Minister of the Interior. The head of the Investigation and Complaints Office is also appointed by this federal minister. The institutional, hierarchical and practical independence called for under international law is thus not sufficiently realised.

Proposed amendments to the draft law, which were introduced and drafted by various NGOs, concern the definition of allegations of mistreatment and the appointment process for members of the Independent Advisory Board, which is responsible for the structural control of Investigation and Complaints Office.

Even if the Investigation and Complaints Office's implementation is not optimal under international law, we should utilise this new opportunity as best we can in order to be able to point out any shortcomings. It represents an opportunity to demand more transparency and action in the event of structural shortcomings. Investigations can only take place if this tool is used, so let's use this new opportunity to make the number of unreported cases of police abuses visible!

1 FRA, EU-MIDIS II, 2023, p. 19

2 FRA, EU-MIDIS II, 2018, p. 30

3 See inter alia ZARA's Demands 2020 'More effective legal protection in cases of complaints against police misconduct' in ZARA's Racism Report 2019, p. 88.



Désirée Sandanasamy studied law at the University of Innsbruck and specialised in the area of international law and minority and human rights. She has gained far-reaching experience in New York, Paris, New Delhi and Brussels, among other locations. She has been a legal counsellor at ZARA since 2021.

Photo: Skokanitsch

Three years after Operation Luxor – the criminalisation of civil society continues

Operation Luxor has been deemed the largest police operation against so-called 'political Islam'. Despite the operation remaining inconclusive and being denounced in the media, the government is now trying to reinterpret it as a success. The criminalisation of Muslim civil society continues unchecked.

Operation Luxor

Three years ago, then Minister of the Interior Karl Nehammer announced his success in the fight against so-called 'political Islam'. Nearly 1,000 officers were deployed for the long-planned police operation. The 116 defendants, including the author of this text, were portrayed as terrorists and members of a criminal and anti-state organisation, who were allegedly involved in murder and kidnapping and seeking to establish Islamic enclaves in Europe and ultimately a worldwide caliphate. More than three years later, the results are damning: not a single charge, not a single arrest. Not even a single person remanded in custody.

Denounced in the media

Operation Luxor has been denounced in the media. Journalists have referred to 'crumbling investigations (*Die Presse*)[1], a 'classic turquoise show action with zero prosecutable results so far'[2], an 'enormous flop'[3], and 'currently the largest and probably most controversial proceedings in Austria' (all: *Der Standard*)[4], or specifically 'Nehammer's debacle' (*Profil*)[5], as he was Minister of the Interior at the time. What's more, investigative research by renowned magazine *The New Yorker* and later by *Profil* revealed that the substantive foundations of the operation and its implementation were part of a multi-million euro smear campaign, financed and systematically orchestrated by a private Swiss company. So far, the political parties have given no response, because the strategy of government leadership has remained the same: cover it up and sweep the scandal under the rug.

1 Anna Thalhammer, 'Operation Luxor: Ermittlungen zerbröseln', *Die Presse*, 29 June 2022, www.diepresse.com/6158636/operation-luxor-ermittlungen-zerbroeseln

2 Hans Rauscher, 'Operation Luxor': Entscheidender (Fehl-Schlag, *Der Standard*, 20 September 2022, www.derstandard.at/story/2000139261364/operation-luxor-entscheidender-fehlschlag

3 Hans Rauscher, 'Staatsversagen bei Extremisten', *Der Standard*, 2 August 2022, www.derstandard.at/story/2000137980235/staatsversagen-bei-extremisten

4 Jan Michael Marchart, 'Die ungewöhnliche Vendetta der Staatsanwaltschaft in der Operation Luxor', *Der Standard*, 7 May 2022, www.derstandard.at/story/2000135448814/die-ungewoehnliche-vendetta-der-staatsanwaltschaft-in-der-operation-luxor

5 Anna Thalhammer, 'Operation Luxor: Nehammers Debakel', *Profil*, 2 April 2023, www.profil.at/oesterreich/operation-luxor-nehammers-debakel/402385727

Revisionism

Since the resurgence of the conflict in the Middle East, new chords are now being struck. An academic working for the Directorate of State Security and Intelligence (Direktion Staatsschutz und Nachrichtendienst – DSN) responded to a journalist, stating that Operation Luxor had not been a disaster: *'I would say that the judiciary should be held accountable. In my view, the authorities have good evidence.'*[6] He thus joins the chorus of those attacking the judiciary and reflects the right-wing interpretation à la Herbert Kickl, in which the law should follow politics and not the other way round. Judicial decisions are ridiculed. Instead of following the fact-based analysis of the Austrian Supreme Court, fact-free assumptions from dubious witnesses are adopted unchecked and form the foundation of castles in the air – which collapse on closer inspection, as the higher courts have shown. This revisionism has also been practised recently by the current Minister of the Interior, Mr Karner.

Unbridled criminalisation

No wonder, then, that this also encourages the current public prosecutor in charge to continue the course. As of autumn 2023, only 27 people and 11 institutions are still affected by the investigation. Nevertheless, further investigations are being opened against former defendants, signalling a new wave of intimidation. The most recent example is the new investigation into 'Rahma', an aid organisation that has existed since 2006, on financial and property offences. Seven-hundred donors were summoned as witnesses by state constitution agencies (regional offices of the DSN) to be questioned about their donations. The authorities knocked on their doors with no prior notice. The association itself criticised the action, stating: *'Clearly, the donors, most of whom have a migrant background, are being intimidated and Rahma is being defamed and prevented from doing its work. So far, we know of no comparable action against donors towards other aid organisations in Austria.'*[7] The criminalisation of civil society did not only result in the unilateral closure of the aid association's bank accounts: it also promoted mistrust and a sense of unease among donors. As a representative of the Jewish organisation 'Not In Our Name' stated, it's *'no coincidence that donors of Catholic aid organisations have never been interrogated in a similar way, and this unparalleled approach stems from racist causes, namely Islamophobic prejudices.'*[8] Those in positions of power must stop looking away and end their silence in order to put an end to the criminalisation of Muslim associations, communities and actors. This also means civil society must stand up. Those who look away today may become targets themselves tomorrow.

6 Wolfgang Sablatnig, 'Radikalisierung im Netz: Terrorexperte Stockhammer arbeitete den Anschlag von Wien auf', *Tiroler Tageszeitung*, 27 October 2023, www.tt.com/artikel/30867885/radikalisierung-im-netz-terrorexperte-stockhammer-arbeitete-den-anschlag-von-wien-auf

7 Rahma Austria, 'Stellungnahme des Hilfsvereins Rahma Austria zu den aktuellen Vorwürfen', OTS, 18 February 2024, ots.at/presseaussendung/OTS_20240218_OTS0012/stellungnahme-des-hilfsvereins-rahma-austria-zu-den-aktuellen-vorwuerfen-bild

8 ibid.



Farid Hafez
is a professor of International Studies at Williams College in Massachusetts. The proceedings against him as part of Operation Luxor were discontinued in January 2023. In March 2024, Promedia Verlag published *Wie ich zum Staatsfeind erklärt wurde. Die Operation Luxor und der Kreuzzug gegen den politischen Islam* (How I was declared an enemy of the state. Operation Luxor and the crusade against political Islam).

Photo: Farid Hafez

‚A plan of action is only as good as its implementation' – the difficulties and opportunities of a NAP against racism

The national action plan against racism and discrimination was announced for the current government period (2020-2024), but has yet to be implemented. We want to lend our weight to this important project. Last year, ZARA took a clear stance on the national action plan (NAP) and presented our demands to a wider audience. In this year's Racism Report, we would like to deepen our thoughts on the topic and delve into it more thoroughly. In addition to the guest contributions (p. 14, p. 26), we have endeavoured to hold a round table discussion to which we have invited like-minded organisations. Representatives from Black Voices (*Samuel Hafner*), the documentation centre Islamophobia and Anti-Muslim Racism (*Laura Topütt*), the Initiative for Discrimination-Free Education (*Katharina Kulesza*), Romano Centro (*Dejan Segić*) and we at ZARA (*Amina El-Gamal, Rita Isiba, Ramazan Yıldız*) were represented on the panel. It was important for us to look beyond our own perspectives and discuss the challenges and potential opportunities together. Here, we would like to thank all participants and summarise the key results and ideas from this discussion.

Racism has a system

Above all, it's important to recognise that racism is also entrenched in our society, and can only be countered with an appropriate initiative – such as a national action plan. It cannot only address racist attacks and discrimination on an individual level, which are symptomatic of the racist conditions in which we live. Racism is a constituent element of the social structures that surround us. It's clear that implementing a NAP will not solve this problem – but it's an important and necessary step in the right direction.

How we speak

Some of our past content may have been too convoluted. To make our concerns accessible to more people, we need more direct and simple statements. Above all, victims of racism must be able to recognise that the topics, demands and solutions are the result of our work in and with our communities. Those affected by racism should be able to see that their concerns and needs are represented in our publications.

Expertise from and for communities

It's important to us that experts from affected communities are involved in the development of the NAP and that they receive support in this. It's unlikely that the experts who are currently disproportionately benefiting from the system and the prevailing order will critically scrutinise it or change it in the long term. Much less can the people or institutions who have contributed to the grievances do the necessary work for the realisation of a NAP.

Vigilant and loud

In addition, current political developments are extremely worrying, so right now it's important to be vigilant, to take a clear stance and have an effective public presence. We need strategies to broaden our base and to raise the awareness of decision makers in politics, business and the media to win support for our demands. In this context, it's also necessary to direct the focus of public discourse towards structural and institutional racism – because many people who are not directly affected are still unaware or insufficiently informed. It's also necessary to win over decision makers from the private sector to this cause, in order to show them that they will benefit from the skills and qualifications of people if they no longer see themselves as existing only on the margins of society – e.g. as guest workers. Above all, diverse teams and people who feel accepted and welcome in our society are an asset to the economy.

Networking, exchange, cooperation

This goes hand in hand with the need for all organisations active in this field to network, exchange ideas and bring together different perspectives. It's important that we maintain our successes and continue our work together. To realise our efforts, we need to take an intersectional approach and expand our minds and activities beyond the boundaries of individual communities. And more importantly, marginalised, racialised and stigmatised groups should not be pitted against each other – we must recognise that we are fighting a common battle. It's crucial to focus on what unites us in order to stand together in creating an anti-racist society.

The status quo

In particular, organisations focusing on anti-Muslim racism have seen an enormous increase in the number of reported cases they are dealing with. The caseload is barely manageable, as many clients also need psychosocial and legal counselling. Many clients – and those close to them – are overwhelmed by the social climate, political developments in our country and global events.

Para yok?

That's why we mentioned funding as one of the first vital requirements. A sufficient budget is needed to really make a difference, including ensuring that all NGOs working in this field have appropriate resources. At the same time, it's essential that all organisations become more financially independent by joining forces with the private sector. Additionally, crowdfunding and fundraising models could do with greater expansion. Stability and financial security are necessary for all stakeholders if we want to work sustainably and effectively.

Participation and representation

Another issue is a lack of political representation due to the fact that the majority of marginalised communities and our target group are not entitled to vote. This is why issues of democracy and the democratic participation must be a central issue in the NAP – in particular, making citizenship easier to acquire. How are people supposed to see themselves as part of a society if their political voice has no value and they are excluded from democratic participation?

Police violence and anti-Muslim racism

Another point that must be anchored in the NAP is a fully independent review office for police violence – outside of the Ministry of the Interior. Keeping separate records of racially motivated offences is equally important. In addition, the Equal Treatment Act should be extended to include religious belief.

This would have a far-reaching impact on anti-Muslim racism and would represent a milestone in this area of work.

Alert and active

Even if the NAP is implemented, active forces must always remain critical and alert so that the direction and objectives are not lost. At the same time, it's important to always be prepared to address current issues, new demands and criticism and bring them to relevant decision makers. Time and again, our projects will exceed our capacities – which is precisely when we'll need conviction, strength and perseverance.

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office@zara.or.at
www.zara.or.at

Your rights during ID checks (Security Police Act)

§ 30. (1) If you are stopped by the police as part of a formal police action, you...

...have the right to be informed of the reason and purpose of the stop upon request.

...have the right to seek assistance from a person you trust.

...have the right to be informed of the police officer's ID number upon request.

...have the right to present facts relevant to the official police act and demand that they be assessed.

(2) This does not apply if this would jeopardise the officer's ability to fulfil their task. The rights of witnesses, participants and parties in the context of administrative proceedings are unaffected.

Identification requirement

In Austria, there is **no general identification requirement**. However, the police are authorised to establish the identity of a person if there are **specific reasons** for doing so. Such reasons include, for example, that the police suspect you of a criminal offence or that you are in a place where a particularly high number of criminal offences are taking place.

If you do **not have Austrian citizenship,** in principle you must always carry a travel document with you or keep it in a place that you can reach quickly, i.e. within an hour at most.

You have the right to know why you are being stopped. Ask the police officer acting in an official capacity about the **'reason and purpose' of the stop.**

1 **Make sure you remain calm during the police stop and do not allow yourself to be provoked.** To know for certain that it is an official action, ask 'Do I have to?' or 'Is this an order?' when receiving instructions. That way, it is also clear in retrospect that you did not voluntarily hand over your rucksack, for example, but that the police demanded it.

2 You have the right to ask the police officer for their **ID number**. Make a note of this, along with the place and time the police action took place, as this will be important later if you wish to make a complaint.

You also have the right to consult a person you trust during the official act. This could be a friend, but also a passers-by. The police can not turn this person away if they do not disrupt the police proceedings.

3 **You can also ask passers-by if they can briefly observe the police action as a witness.**

During an official act, police officers must adhere to the Directive for Interventions by Members of the Public Security Services, a code of conduct for police officers.

Police officers must not give the impression of bias during official acts: they're obliged to refrain from discriminatory behaviour and to use the German polite form of address, 'Sie'. If police officers do not behave in line with the directive, you can contact us and we will support you in making a complaint.

If you have the impression that the police stop was entirely based on **ethnic profiling**, you can lodge a **complaint** (within six weeks).

Making an audio or video recording during a police stop is not forbidden, as long as it's not disruptive.

4 It's best to do so inconspicuously and refrain from holding the camera in the police officer's face.

5 Tip: ZARA advises against publishing the recording if the police officers involved are recognisable. Rather, it can be used to ensure your rights in designated legal procedures (e.g. procedural complaint, complaint of bodily harm).

After the police encounter, reach out to ZARA. We provide free advice and offer support in the fight against unlawful police acts.

You're not alone!

If you have questions or need support, reach out to us.

ZARA
CIVIL COURAGE & ANTI-RACISM-WORK

Schönbrunner Straße 119/13
Entrance: Am Hundsturm 7
1050 Wien

0043 1 929 13 99
office@zara.or.at
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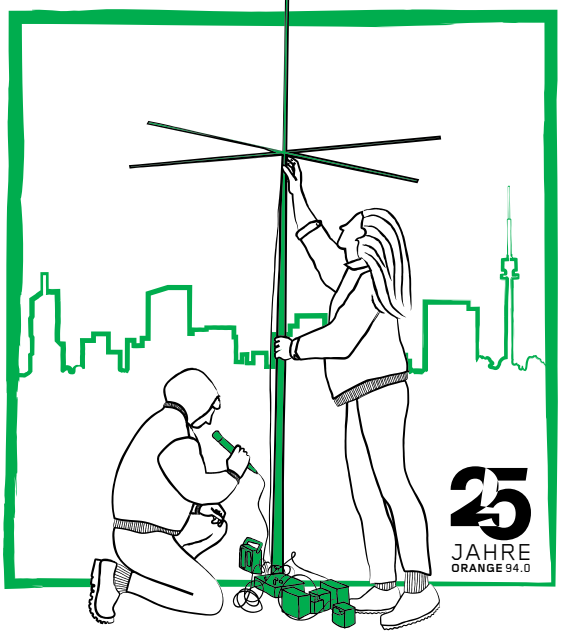
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How to recognise microaggressions and what I can do about them.

What are microaggressions?

Microaggressions are mundane comments, questions, and verbal or non-verbal actions that convey devaluation or disparagement, without necessarily appearing obviously offensive or hostile. Like macroaggressions (insults, assaults), the message of microaggressions targets specific groups based on characteristics such as skin colour, gender, sexual orientation, religion, ethnicity or other personal characteristics.

Microaggressions are a major challenge because they are upsetting and unconsciously convey even more prejudiced messages. They can have a negative impact on the mental health and well-being of the person receiving them.

If I’ve been affected by microaggressions…

Listen to your gut. The most important thing is not to be made to feel uncertain: if you’re unsure of whether you’ve experienced a microaggression, you can usually trust your own intuition – you don’t need to question your own experiences and judgements.

Take care of yourself. There are various ways to react to microaggressions, such as calling them out, setting boundaries, getting support or ignoring them, depending on the circumstances, the situation and your capacities. Dealing with them takes courage and strength. What’s most important is to look after yourself and your own boundaries.

→ **Microaggressions made simple:**

They’re often compared to mosquito bites: a single bite is annoying, but having to endure many bites over a long period of time is painful and wounding.

Some examples are:

- A teacher continually mispronounces the names of certain students after several weeks, but can correctly pronounce the names of all the other students.
- Statements like 'I don't see colour – to me, all people are the same' from a *white* person, which conveys the message: 'I don't believe skin colour plays a big role in people's lives, because it's never had a negative impact on me.'
- Probing questions towards a BIPoC person with statements like: 'No, but where are you REALLY from?', implying: 'You don't belong here.'

→ Carefully consider where, when and why you ask certain questions and make certain statements. You never know what impact a question can have on someone. In particular, frequently asked questions can be a microaggression for those affected by racism.

If you've hurt a person through a microaggression, then...

... be receptive to feedback – especially if you didn't consciously intend to hurt the person. Put yourself in the shoes of the person you hurt and try to develop empathy for their perspective – how did your statement or actions affect them? Why was the statement or action hurtful?

... apologise to the person in question.

... think about the situation again and consider what your intentions actually were. Try to understand what ideas, assumptions and prejudices played a role.

... attempt to find out more about microaggressions, stereotypes and prejudices. You can do this through books, films, ZARA workshops or conversations.

You can find more information through the QR code:

- Dr D.W. Sue. *Microaggressions in Everyday Life*
- Jewell, Tiffany. *Das Buch vom Anti-Rassismus – 20 Lektionen, um Rassismus zu verstehen und zu bekämpfen*
- Manoocher – 'Noch Fragen?'
- maiLab – 'Zwischen Rassismus und Neugier: Woher kommst du?'
- Fusion Comedy – 'How microaggressions are like mosquito bites'

Areas of life 2023

Terms and definitions

The following chapters contain anonymised case reports of racist incidents from all areas of life.

Internet
Incidents that took place on the internet. This category includes online media, websites, online forums, social media and video platforms.
(→ Internet, p. 34)

Public sphere
Incidents that took place in public, commonly accessible places, such as on the street, traffic areas, in parks or on public transport. Racist graffiti is also included in this chapter, as the instances of racist graffiti reported to ZARA primarily took place in the public sphere.
(→ Public sphere, p. 37)

Goods and services (incl. Living and housing)
Incidents related to the access to, and supply of, goods and services (such as in venues, stores and other service providers).
(→ goods and services, p. 42)

Public authorities and institutions
Incidents that occurred with administrative bodies, educational institutions and other municipal institutions (police excluded).
(→ Public authorities and institutions, p. 48)

Politics and media
Incidents that were provoked or spread by politicians, political parties or traditional media (print, radio and television) both online and offline.
(→ Politics and media, p. 51)

Police
Incidents related to security administration and public safety bodies.
(→ Police, p. 54)

The systematic documentation of racist incidents makes them more visible and has therefore been very important to ZARA from its outset. Among other things, it shows that there is a need for action. At ZARA, people who have experienced racist incidents receive competent legal and psychosocial support. The interests and concerns of the people who contact the ZARA Counselling Centre are our first priority. Their statements are met with trust and understanding, and they are taken seriously. We constantly see that the experiences of people who are directly and systematically disadvantaged by racism are all too often ignored or simply denied, due to the social structures and power relations created and maintained by racism. ZARA wants to counteract this.

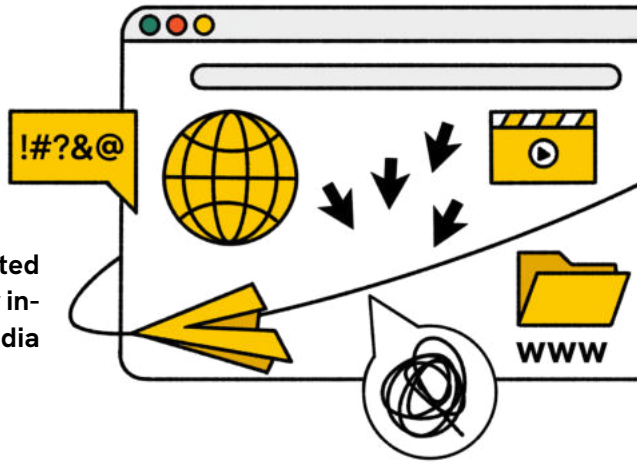
At the same time, ZARA counsellors endeavour to enter into dialogue with the 'opposing party', as long as they have the relevant information and the client's consent. It is not possible for ZARA to obtain all relevant information from all parties involved. We do not see that as our duty, as our work centres on those directly affected. Our focus is on the perspectives and realities of those affected by racism. Reports or statements from clients that seem clearly contradictory or implausible are not reproduced in the Racism Report.

Through publishing case reports of racist incidents, ZARA is placed in the middle of an anti-racist dilemma, where it sometimes appears necessary to reproduce forms of racism and racist language in order to make racism more visible, and therefore counter it.

What does ZARA do?

- (Legal) counselling
- Relief interventions, strengthening interventions and support
- Reporting to the police, the public prosecutor's office or the NS Reporting Office
- Exchange/coordination with partner organisations, lawyers, authorities or other relevant parties
- Drafting of complaints, appeals, statements, applications and letters of intervention
- Accompaniment (e.g. to court hearings, arbitration meetings, the authorities or police interrogations)
- Referral to other organisations, counselling centres and doctors (to obtain medical reports)
- Requests to delete hate posts on social media platforms (both as a normal user and as a 'Trusted Flagger')
- Requests to remove graffiti in public spaces
- Awareness-raising/public relations work
- Inspection of records
- Documentation

Internet



This chapter offers a selection of the 758 cases reported to ZARA that took place on the internet. This category includes online media, websites, online forums, social media and video platforms.

1 Discriminatory school study

An organisation approached ZARA with a request for support regarding a survey carried out in schools. Numerous Muslim students reached out to the organisation because an upsetting survey was carried out as part of a scientific research project in their religious education lessons. The way in which the questions in the study were formulated suggested a very discriminatory approach: among other things, nearly all common stereotypes and prejudices against Muslims were reproduced. Together with ZARA and two other associations, the organisation drew up a statement in response to this study, demanding that it be cancelled immediately. As part of ZARA's public relations work, an interview with a radio journalist was also conducted. The ZARA counselling centre documented the controversial study and the statement. The Minister of Education subsequently distanced himself from the study.

What did ZARA do?

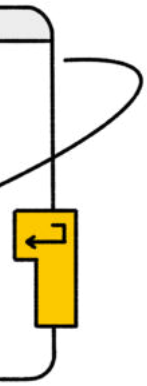
- Documentation
- Exchange/coordination with partner organisations
- Drafting of a letter of intervention
- Awareness-raising/public relations work

2 Racist insults and threats following a Tinder date

A. met a man on Tinder and went on a date with him. After their first meeting, she decided that she was not interested in meeting him again. After telling him this, he racially abused and insulted her via WhatsApp messages – going so far as to threaten her daughter with sexual assault. Because the man knew the name of the small village where she lived and she and her children were the only Black people living there, she feared that she would easily be identified. Out of concern for her children, she contacted ZARA for counselling. After a meeting with a ZARA counsellor and a legal assessment of the messages, A. decided to contact the police to file a report, who met her with understanding. Although no charges were filed because the incident was not classified as a criminal offence by the police, the officers called the perpetrator immediately and spoke with him. The police also promised A. that they would send a patrol car to the perpetrator if he harassed her again. A. was relieved, reassured and could feel safe again. The perpetrator also wrote her a message to apologise for his behaviour.

What did ZARA do?

- (Legal) counselling
- Relief and/or strengthening intervention
- Documentation



3 Spreading a video of a discriminatory assault

L. was attacked on the street and asked whether he believed that refugees belong here. He was then forced to take off his T-shirt with the words 'Refugees welcome' on it. The perpetrator was holding a mobile phone in his hand. A few weeks after the incident, an acquaintance of L. informed him that a recording of the assault had been posted on Facebook and in a right-wing extremist Telegram group with over 1,000 members. L. pressed charges, but the incident put him under significant psychological strain and he felt helpless. He therefore turned to ZARA for counselling. A ZARA counsellor offered L. assistance in the form of psychosocial trial support (→ Glossary, p. 71). Together with the trial support team, more evidence was collected and sent to the police. Unfortunately, the perpetrator could not be identified and the proceedings were discontinued. However, ZARA was able to have the Facebook post deleted via the ZARA Trusted Flagger channels (→ Glossary, p. 72). The ZARA counsellor also reported all of the information on the Telegram group to the NS Reporting Office. With the support and guidance of the ZARA counsellor, L., who was under a great deal of stress, managed to move on from the incident.

What did ZARA do?

- Relief and/or strengthening intervention
- (Legal) counselling
- Accompaniment (in the form of psychosocial trial support)
- Requests to delete hate posts on social media platforms (both as a normal user and as a 'Trusted Flagger')
- Documentation

Discrimination by association: People can also be discriminated against and treated poorly because they have a (presumed) close relationship with a person who has a protected characteristic. This is an element of structural racism.

4 Student WhatsApp group with racist and anti-Semitic content

M. contacted ZARA because of a student WhatsApp group at her daughter's school, in which several students shared a large number of anti-Semitic, racist and LGBTIQ*-hostile messages, photos and memes over a significant period of time, including images and photos of swastikas and the Hitler salute. M.'s daughter, who had learnt about this content, confronted the perpetrators and demanded they stop the discriminatory posts. She also informed several teachers, who called on the students to stop the posts and reached out to the school administration. Despite several measures taken by the school, the perpetrators continued to share racist and anti-Semitic content. In addition, a hate campaign developed against the students who had acted courageously and drawn attention to these unlawful offences. They were attacked, threatened and bullied. M., the mother of one of these students, asked a ZARA counsellor for advice and support. After several meetings for legal counselling and relief interventions, ZARA reported the content deemed illegal to the NS Reporting Office, which investigated the case further. ZARA also sent a letter of intervention to the school in order to urge them to take more consistent action and protect the harassed students. According to their reply, the school entered into dialogue with the Office for the Protection of the Constitution and the Ombudsman for Children and Young People, and had taken a number of steps to improve the victims' situation. The school also booked civil courage training with ZARA Training.

What did ZARA do?

- (Legal) counselling
- Relief and/or strengthening intervention
- Reporting to the NS Reporting Office
- Drafting of a letter of intervention
- Documentation

Hate comments that meet the criteria for certain criminal offences, and thus cross the line of freedom of expression, can lead to fines or even imprisonment (e.g. incitement to hatred, insult, dangerous threat, cyberbullying or cyberstalking → Glossary, p. 60).

What is incitement to hatred?

Incitement to hatred is publicly inciting violence against one or several people because of their (assumed) affiliation with a group, in a way that makes it accessible to a large number of people (approximately 30 or more). It also includes stirring up hatred against these people or insulting them in a certain derogatory and degrading way.

These groups are defined, for example, by skin colour, language, religion or belief, ethnic origin, nationality, disability, age, sexual orientation or gender.

On the internet, it is both illegal to write content that qualifies as incitement to hatred oneself (e.g. a post on a social media platform) and to distribute (e.g. share) such content.

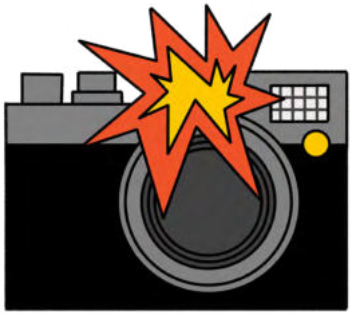
Perpetrators can be punished under Austrian law if the offence occurred in Austria (or on a server in Austria), or if the result of the offence would occur in Austria.

How can I take action against incitement to hatred and how can ZARA help?

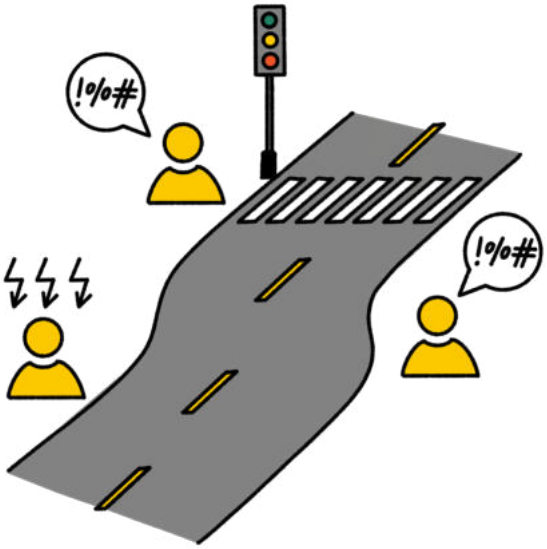
If you read a post and feel that it could constitute incitement to hatred, report it to ZARA. ZARA will then check whether it qualifies as incitement to hatred – and can also help with further steps, for example, reporting the post to the police or the public prosecutor's office. Furthermore, if you report a post that falls under criminal law to the relevant social media platform, they are required to delete it. ZARA can also take over the process of contacting the platform in order to ensure its deletion. If ZARA requests a deletion, it's more likely that the post will actually be removed, because ZARA has a special status on many social media platforms ('Trusted Flagger status' → Glossary, p. 72).

Since 2021, ZARA has also been able to accompany and support victims of incitement to hatred online – together with lawyers – free of charge in court proceedings (Trial support → Glossary, p. 71). ZARA works to ensure that a suitable lawyer is found.

Tip: For a report or criminal complaint, it's important to take a screenshot of the relevant post. The screenshot must include the date, time and context of the post.



Public sphere



This chapter contains a selection of the 207 incidents reported to ZARA that took place in the public sphere. The public sphere includes all incidents that take place in public and publicly accessible places, such as streets, traffic areas, parks and by means of public transport. Racist graffiti is also included in this chapter, as the 58 instances of racist graffiti reported to ZARA primarily took place in the public sphere.

5 Racist assault in the middle of the street

16-year-old J. was grabbed by the neck on the street by a stranger carrying a firearm and thrown to the ground. The reason for the attack was that J. and his friends were speaking Arabic. The perpetrator threatened J. and his friends. The police were called and the perpetrator was arrested. J. feared that the perpetrator would attack him again after his release, because during the attack he stated that he knows the teenagers. J.'s stepfather contacted ZARA and, together with the father of one of the other teenagers, received legal advice for the upcoming court hearing. The fathers worried that their children would see the perpetrator again in court. A ZARA counsellor therefore asked the court to hear the victims' testimony separately from the accused, because they were particularly vulnerable. Three days before the trial, J. happened upon the perpetrator by chance on the street, who addressed him by name. The offender's weapon was confiscated; he was ordered to pay 110 euros to J.; and he was placed on two years' probation.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of petitions (petitions to the court)

6 Racist insult on the street

T. was leaving a supermarket with her baby in a pram when she was verbally abused by two people riding scooters, who sped past her. When T. stopped at the traffic intersection, where the two people on scooters also stopped, they continued to insult her and hurled racist anti-Asian insults. T. defended herself verbally, but it didn't stop the perpetrators from continuing their insults. T. went to the police with the intention to file a complaint, but they did not file her complaint and passed her on to the district court instead. When T. reached out to ZARA, she was informed that she can report this type of insult to the police because of its racist nature. Despite visiting a police station again and referring to the laws on 'qualified insult' mentioned by ZARA (Glossary → 'Qualified insult', p. 74) to insist that the police do have jurisdiction, the police officer still refused to file a complaint.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention

7 Racially motivated bodily harm in a public space

O. was working for a cleaning company and was responsible for maintaining the public toilets. A woman came up to him and started loudly complaining that there was no toilet paper. When O. failed to calm her down, even though he was about to switch the toilet paper rolls, he sought help from a nearby shop owner, who was very unfriendly and brusque. As O. was leaving, holding the large toilet paper roll in both hands, the shopkeeper pushed him from behind without warning, causing him to fall to the ground, scraping his knee and seriously injuring his shoulder. Next to the shop was a café where several people were sitting; they offered to testify as witnesses and advised him to call the police immediately. When the police arrived, they considered it to be no big deal and failed to take him seriously. It's unclear whether the racist motivation, the shoulder injury and the witness statements were documented at all. A ZARA counsellor gave O. legal advice and enquired at the district court about the current status of the proceedings. For concrete support in court, the counsellor contacted WEISSER RING, which provided legal representation in the proceedings.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Exchange with authorities
- Referral to a counselling centre (WEISSER RING)

8 Repeated use of the N-word at an anti-racism event

K. was working as an anti-racism consultant for a non-profit organisation. The organisation commissioned her to give a presentation for a meeting with the organisation's members. During the ensuing discussion, the organisation's managing director spoke up and suddenly started talking about Black people, referring to them using the N-word (spoken out loud). Our client then asked him several times to refrain from using the highly racist word. However, the managing director was unwilling to rethink his language and insisted repeatedly on being allowed to use the word, invoking freedom of speech and opinion and stating that as the managing director of the organisation, 'He is allowed to say what he wants'. K., a Black woman, attempted to leave the room several times due to the situation becoming unbearable, but was barred from doing so twice by the director. The day after the incident, the organisation informed K. that they did not wish to work with her in future and breached their contract by cancelling the already agreed upon presentation dates. K. was deeply shaken by this incident. She wanted something to be done, and reached out to ZARA despite the associated retraumatisation. She felt empowered by the counselling and support provided by ZARA counsellors. In cooperation and consultation with partner organisations, ZARA drafted a letter of intervention to the organisation.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention
- Drafting of a letter of intervention

Insults[1] (→ Glossary, p. 69) in the legal sense are insults, taunts, physical abuse (below the threshold of bodily injury) or threats of physical abuse that occur in front of at least three people (not including the victim and the perpetrator). Insults can be punished by the court with a prison sentence of up to three months or a fine.

An administrative penalty may also be imposed for offences that are not committed in front of at least three people. Such insults may violate the prohibition of discrimination under administrative criminal law in accordance with the EGVG or corresponding state laws.

A **racist insult** ('Qualified insult' → Glossary p. 72) is an insult that refers to, for example, the skin colour, ethnic origin or religion of the person insulted. For example, calling someone a racist name, tearing off someone's headscarf, slapping someone in the face because of their religion, spitting at and mocking someone because of their origin or insulting someone on the internet because of the colour of their skin is considered a racist insult.

How can I take action against racist insults?

Racist insults are prohibited by law, and in contrast to simple insults (i.e. insults without a prejudicial motive → Glossary, p. 70), can be reported to the police if the insult is likely to cause contempt or disparagement of the injured person in the eyes of the public. For example, insults such as 'fucking [ethnic/religious/racial group]' would fulfil this criteria. It is necessary for the person affected to also authorise the initiation of criminal proceedings when making the report. After that, the public prosecutor's office is responsible and conducts the proceedings. There is no risk of costs for the affected person.

Offences that violate the EGVG or relevant state laws can be reported to the district administrative authorities or the police.

How can ZARA help?

If you have been on the receiving end of racist insults, you can reach out to ZARA. ZARA can offer you support and can also determine whether there is an insult in the legal sense. If necessary, ZARA can support a complaint and give procedural advice. One issue when it comes to assaults in the public sphere is that the perpetrators are often unknown and therefore cannot be tracked down. Nevertheless, reporting unknown perpetrators to the public prosecutor's office is important, because that is the only way to ensure such incidents become known and appear in official statistics. Studies show that online insults are practically never reported; consequently, the number of unrecorded cases is enormous.

1 § 115 Austrian Criminal Code

Racist graffiti

9 Islamophobic graffiti on a signpost

Through the anonymous reporting form, ZARA received a report from an organisation that a sign in a residential complex with the words 'Keep dogs away from (green) areas' had been painted over with a green pen. The word 'dog' was replaced with 'Muslims'. The reporting organisation has already reached out to the district to request removal of the graffiti and reported it to ZARA for documentation. The graffiti was quickly removed.

What did ZARA do?

- Documentation

10 Anti-Semitic graffiti on a garage door

N. noticed anti-Semitic graffiti on a garage door and reported it to the City of Vienna, which forwarded the report to building management and the owner. Because the graffiti was not removed, N. reached out to ZARA. ZARA reached out to the City of Vienna to have the graffiti removed and also reported the incident to the NS Reporting Office.

What did ZARA do?

- Documentation
- Request to remove graffiti to the City of Vienna
- Report to the NS Reporting Office



11 Racist writing in an apartment building

A. noticed racist and discriminatory graffiti next to the lift in her apartment building. She reported it to the building management, which removed the graffiti. A. reached out to ZARA to have the incident documented, in part because she worried about who was writing racist statements in her building. A ZARA counsellor gave her information on potential further (legal) steps.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention

Graffiti can be subject to many different standards. Of particular legal importance are the following laws: the Prohibition Act (→ Glossary, p. 72), the Introductory Act to the Administrative Procedure Acts[1] (EGVG → Glossary, p. 70), the Symbols Act (→ Glossary, p. 72) and the Austrian Criminal Code. Depending on the applicable law, the penalty can be a fine of up to 10,000 euros (in repeated cases, up to 20,000 euros or six weeks imprisonment per the EGVG) or imprisonment of up to 20 years (Prohibition Act). For graffiti with swastikas, SS runes or National Socialist slogans in public spaces, the Prohibition Act and the Introductory Act to the Administrative Procedure Acts are especially relevant. The Symbols Act also prohibits certain other symbols (including Grey Wolves, Ustaša and ISIS, among others). In this case, a fine of up to 4,000 euros and a prison sentence of up to one month (in repeat cases up to 10,000 euros and six weeks imprisonment) is possible.

When is graffiti legally considered damage to property?

Apart from the Symbols Act and Introductory Act to the Administrative Procedure Acts, graffiti can also constitute damage to property. Damage to property[2] occurs when a 'foreign' object is destroyed, damaged, defaced or rendered otherwise unusable. The damage/defacement must be so significant that it can only be removed with a certain amount of effort.

Warning: Independently painting or pasting over (racist) graffiti can also constitute a damage to property.

In the case of simple property damage, a sentence of up to six months (or alternatively a fine) may be imposed. According to section 126 of the Austrian Criminal Code, the prison sentence can be up to two years in the case of serious damage to property – for example, if a grave or protected object is defaced. If the damage incurred exceeds 300,000 euros, the offender can face a prison sentence of up to five years. In the case of messages that are explicitly racist or constitute incitement to hatred (→ Glossary, p. 73), this can lead to higher punishments for perpetrators as a special aggravating circumstance.

How can I take action against (racist) graffiti?

Graffiti – if it constitutes a damage to property – is considered an 'offence prosecuted ex officio'. This means that as soon as a law enforcement authority becomes aware of it, it is obliged to initiate criminal investigations. In principal, anyone can report graffiti to the police or the public prosecutor's office (→ Glossary, p. 72) by means of an exposition of the facts (→ Glossary, p. 72). Even if the perpetrators can no longer be found, such a report serves as a statistical record.

Tip: When making a report, it is important to give as much information as possible about the content and location of the graffiti, and ideally to include a photo of the graffiti.

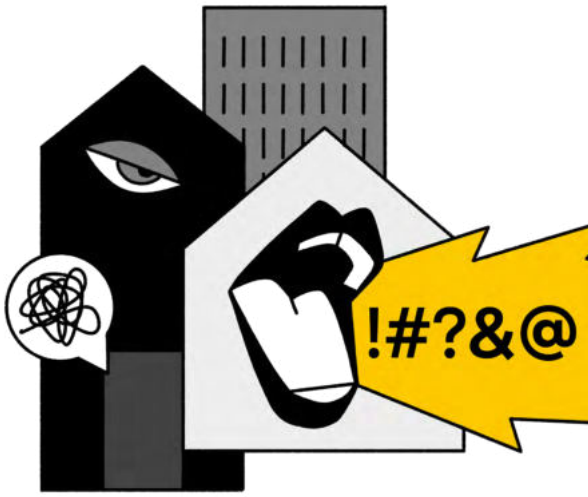
How can ZARA help?

Racist graffiti can be reported to ZARA: we document and report it to the relevant authority. ZARA works in cooperation with the relevant contact points, to very often (quickly) remove the graffiti, especially in public spaces.

1 Art. III para. 1 line 4 EGVG

2 § 125 Austrian Criminal Code

Goods and services



This chapter includes a selection of the 143 cases reported to ZARA in the area of goods and services (including living and housing). It documents incidents related to the access to, and supply of, goods and services (such as in venues, stores and other service providers).

Living and housing

12 Racist and misogynistic abuse in a neighbourhood

M. has owned her flat for many years and has been the target of hostility in her neighbourhood due to defamatory rumours spread by buildings' super. The insults included misogynistic slurs and racist insults. M. was told that she was not welcome because, as a non-Austrian woman, she would only have been able to purchase her flat through dubious means. M. tried to report the insults to the police, but was sent away for lack of evidence. In a counselling meeting with ZARA, M. was told the conditions under which insults can be legally prosecuted (→ Glossary p. 69). The counsellor also offered to send a letter of intervention to building management. M. wanted to hold off on taking this step for the time being, because she feared that her neighbours would become even more antagonistic towards her.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention

13 Racially motivated slashing of car tyres

T. turned to ZARA to report a racist incident. She arrived late to her consultation because the tyres on her car were slashed – the fourth time this had happened since she moved to her building. Twice, a letter was placed on her windshield threatening her and demanding she move away. One of the letters clearly used online tools to translate it into her native language. T. was certain that the perpetrator was one of her neighbours. A ZARA counsellor accompanied T. to the police to report the property damage. ZARA pointed out the racist aspect of the letters and threats made against the victim. However, the officer stated that there was currently a 'tyre slasher' on the loose in the district and that there are a hundred reports, and that T. should be careful because parking a damaged vehicle in a public space could lead to an administrative fine. A report was not filed.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention
- Accompaniment to the police report

14 Racist ‘lift ban’

S. was living with her three-year-old daughter in a Viennese social housing block. Over the course of several months, she had been subjected to racial abuse by two elderly neighbours who also wanted to forbid her from using the lift. They threatened to call the police and falsely claim that S. had attacked them. S. was very frightened and called the police herself. The officers referred her to Wohnpartner, but when the neighbours refused the mediation, they took no further action. The situation escalated some weeks later. One of the neighbours was riding in the lift that S. wanted to also use with her daughter. Her daughter reached for a key that the neighbour was holding, whereupon the neighbour began shouting at her. S. asked her to stop. The neighbour then pushed her, causing her sunglasses to fall off her head. The neighbour left the lift while shouting and screaming, among other things, ‘Fucking N*”. As the door closed, the neighbour repeatedly banged on the lift and continued shouting racist insults. S. was shocked and called the police, who wrote a report recording the incident. Both S. and her daughter were suffering greatly from the situation, so S. contacted ZARA for advice. A ZARA counsellor accompanied S. to the police, who filed a complaint under the EGVG (Glossary → EGVG, p. 70).

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention
- Accompaniment to the police report

15 Harassment of organisation staff by a neighbour

S. was working for a charitable organisation. For over two years, organisation employees were being insulted and belittled by a neighbour in the building when entering and leaving the office premises. This neighbour spit at the feet of some employees and had more recently begun making racist statements as well. He professed to hate Black people and to be proud of the fact that he is *white*. He described himself as a racist and fascist and gave the Hitler salute. He also made extremely derogatory statements to S. about the people the organisation supports and used Nazi slurs. When the neighbour stated that he is a proud Nazi, S., together with other organisation employees, filed a complaint with the police for unlawful activity. The police officer advised the affected employees obtain a restraining order. S. contacted ZARA to ask for counselling regarding further legal options. Above all, she did not want to expose herself and the other employees and clients of the organisation to any additional risks. The ZARA counsellor explained the legal options to S., in particular the requirements for a restraining order by the district court for general protection against violence. S. approached the organisation’s management to obtain such a restraining order.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention

KNOW YOUR RIGHTS –
Taking racial discrimination in housing as an example

The Equal Treatment Act (→ Glossary, p. 70) prohibits discrimination against people on the basis of certain characteristics – for example, their ethnicity – in access to and the provision of housing. This means, for example, that racial discrimination or insults are forbidden when renting out flats.

Discrimination in housing adverts is also forbidden – for example, through statements such as 'only for citizens' or 'native language German required'.

How can I take action against racial discrimination in the housing market?

Those who experience racial discrimination or harassment when accessing housing have several options available to them.

They can have the Equal Treatment Commission (→ Glossary, p. 70) examine through legal proceedings whether discrimination on the basis of ethnicity has occurred. These proceedings are free of charge. However, if discrimination is found, this decision is not compulsorily enforceable.

Additionally, if the Equal Treatment Act has been violated, those affected can also file a complaint with a civil court. For example, damages can be claimed. However, such civil court proceedings are associated with a not inconsiderable cost risk.

Discriminatory housing advertisements can be reported to the district administrative authority by those who are interested in the property (or by the Ombud for Equal Treatment → Glossary, p. 70).

How can ZARA help?

As a first step, ZARA can clarify whether a violation of the Equal Treatment Act is likely to have taken place. Together with the person affected, ZARA can consider whether extrajudicial steps are possible and determine which are desirable. For example, ZARA can offer support through a letter of intervention (→ Glossary, p. 71) or accompaniment to a mediation. If those affected request legal action, ZARA can establish contact with the Ombud for Equal Treatment so that they can offer support in proceedings before the Equal Treatment Commission.

ZARA can refer certain cases of discrimination to the Litigation Association of NGOs Against Discrimination[1]. If the Litigation Association decides to take on the case, it will then represents the person affected in the court proceedings and supports them in asserting their claims under the Equal Treatment Act. The Litigation Association then also assumes the cost risk of the proceedings.

1 www.klagsverband.at

Retail, gastronomy and other commercial services



16 Racial profiling by supermarket security

F. was completing an international master's programme in Vienna. Many of her classmates were not from Europe. One evening, when the drinks ran out at a party thrown by the institute, she went to a nearby supermarket with a colleague. On the way there, they were eating sandwiches they grabbed from the party's buffet and, while still eating, went to the supermarket's wine section. After paying for the wine, they were stopped by supermarket security, who had been following them since they entered. He shouted at the two students in front of everyone and claimed that they stole the sandwiches. The pair attempted to explain the situation, by he didn't believe them. After some minutes, he let them go. When talking about the incident at the party, some of their fellow students told them that they had had similar experiences with this man and avoided the supermarket for this reason. F. wanted the security guard to be reported to the supermarket management and therefore turned to ZARA. A ZARA counsellor wrote a letter of intervention and asked the supermarket management to comment on the recurring racist incidents and how it dealt with them.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention
- Drafting of a letter of intervention

17 Withdrawal of a training contract

W. signed a contract for a one-year training course as a specialist teacher. During the first interview round, W. and K., another PoC, were immediately asked about their 'roots'. They explained that their families came from Senegal and Nigeria respectively, and that one of them grew up in Salzburg while the other was born in Linz. An instructor then stated: 'Then you're practically siblings.' The words 'fiery' and 'unpredictable' were also used, and the instructors themselves often used the word 'exotic'. A *white* participant, and later the two on the receiving end of the statements, spoke separately to the instructors about their behaviour, who reacted defensively and with verbal aggression, stating that 'no one can say anything any more'. At the second meeting, a statement by a course participant indicated that the instructors had transferred their bias to the other participants, or at least reinforced it. W. stopped attending the course and wanted to cancel the contract and receive a refund. A ZARA counsellor informed W. about the available legal steps and their possible consequences. Ms W. decided to terminate the contract, citing the discriminatory behaviour of the instructors, and stopped the outstanding instalment payments. The course instructor sued her for payment and threatened W. and other participants who would testify to the discrimination with a defamation suit. W. paid the outstanding amounts as she could not afford a legal dispute.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and strengthening intervention
- Drafting of a letter of intervention

18 Racist installation at a zoo

While visiting a zoo, M. noticed an installation showing the tracks of various desert dwellers. When turning the images over, you could see a picture showing which animal species belonged to the tracks. There were several animal tracks and a human footprint next to it. The accompanying picture showed a group of Black people. M. wanted something to be done about it and reached out to ZARA. A ZARA counsellor wrote a letter of intervention to the zoo management, explained why the illustrations were racist and therefore needed to be removed. The depiction compared Black people with animals, and comparisons of this kind have a racist and colonialist legacy that dehumanises marginalised groups. The zoo management reacted promptly, thanked ZARA for addressing the problematic depiction and had the illustrations removed immediately.

What did ZARA do?

- Documentation
- Drafting of a letter of intervention

19 Racially motivated refusal of a company credit card by a bank

F. was the supervisor of the person affected, a new employee who applied for a company credit card at a bank. The application was rejected due to a 'subjective risk assessment'. Neither F. nor the person concerned could see any reason for a negative risk assessment. On enquiring within his own large company, for which employees regularly applied for company credit cards, F. learned that applications for credit cards by employees with 'foreign names' were often rejected. F. then contacted the bank directly and pointed out that, apart from the applicant's 'non-Austrian-sounding name', there was no reason for a rejection based on a 'subjective risk assessment' and that he therefore concluded that the bank was discriminating against him. He received no response to this letter. F. approached ZARA to request the incident be documented and for advice on how to proceed. A ZARA counsellor encouraged F. to explicitly call out the discrimination and offered personal counselling to the person concerned, along with drafting a letter of intervention to the bank. F. informed us that, in the meantime, the person concerned submitted another application to the bank for a company credit card and was awaiting the result.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention

Racist refusal of entry occurs when a person is refused entry to a venue or club on the basis of their ethnicity. This is illegal according to the Equal Treatment Act (→ Glossary, p. 70) and the Introductory Act to the Administrative Procedure Acts (EGVG → Glossary, p. 70)[1] .

How can I take action against racist refusal of admission according to the Equal Treatment Act?

Those affected can contact the Equal Treatment Commission (→ Glossary, p. 70) for an assessment of this discrimination. Proceedings before the Equal Treatment Commission are free of charge, but the decisions are not compulsorily enforceable, unlike decisions made by a court.

In addition to the Equal Treatment Commission, victims can also file a complaint with the relevant civil court. However, there is a not inconsiderable cost risk here.

Those who want to defend themselves against a racist refusal of admission must 'only' make the discrimination credible (Reduction of the burden of proof → Glossary, p. 69). If they succeed in doing so, the venue must prove that it was more likely than not that permissible reasons (e.g. inappropriate dress or behaviour) that led to the refusal of entry. If a refusal of admission on racial grounds is established, victims are entitled to compensation.

How can I take action against a racist refusal of entry according to the Introductory Act to the Administrative Procedure Acts?

Racist refusal of entry according to the EGVG can be reported not only by the victim themselves, but also by witnesses. (Offence prosecuted ex officio → Glossary, p. 71). Police officers who observe such an incident must make a report and relay it to the responsible district administrative authority (→ Glossary, p. 69). These proceedings are free of charge for the person who reports the incident. The disadvantage is that the person reporting (or ZARA) are not informed about the result of the procedure (No party to the case → Glossary, p. 71).

Similarly, the EGVG does not provide compensation to the person who has been discriminated against. Offenders can be fined up to 1,090 euros.

If this provision of the Introductory Act to the Administrative Procedure Acts is repeatedly violated, the trade authority must revoke the trade licence of the operator. However, ZARA is still not aware of any cases where this has actually happened.

How can ZARA help?

If desired, ZARA can first contact the venue in question with a letter of intervention (→ Glossary, p. 71) and ask for a statement on the incident. In some cases, depending on the reaction of the venue operators or security companies involved, an out-of-court solution may be found (e.g. clarifying conversation or apology on the part of the venue). ZARA can, for example, provide accompaniment to such conversations.

ZARA also checks whether a law was violated during the incident. If legal action is desired, ZARA can establish contact with the Ombud for Equal Treatment (→ Glossary, p. 70) so that they can offer support in proceedings before the Equal Treatment Commission.

ZARA can refer certain cases of discrimination to the Litigation Association of NGOs Against Discrimination[2]. The latter then takes over the representation in court and the cost risk.

1 Article III paragraph 1 line 3 EGVG

2 www.klagsverband.at/

Public authorities and institutions



This chapter contains a selection of the 110 incidents reported to ZARA that involved public authorities and institutions. This category includes incidents that occurred with administrative bodies, educational institutions and other municipal institutions (police excluded).

20 Alleged English-language ban for tax office employees

Due to a technical problem when applying for the energy bonus that could not be resolved by the service hotline, R.'s tax advisor sent him to the tax office. When making the appointment, R. asked for the appointment to be held in English and also asked to speak English on site. He was then referred to the hotline. The employee at the counter turned R. away and also told her colleagues not to help him. Speaking in excellent English, one of the employees stated that they cannot help him and that they are not allowed to speak English. As 'proof', he pulled up the österreich.gv.at website and read that the official government language is German. Due to the employees' refusal to speak English with him, despite his knowledge of the language, R. was unable to submit his request and was ultimately unable to apply for the energy bonus. R. was outraged by this treatment and turned to ZARA. A counsellor wrote a letter of intervention to the tax office and asked for a statement from the managers.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of a letter of intervention

21 Shortcomings in a kindergarten management's duty of care

F. was working as a kindergarten teacher in Vienna. The parents of one child were extremely racist towards him and accused him of being violent and hating women* because of his ethnicity. They filed a complaint against F. with MA10 and the regional kindergarten management. During a discussion with the head of his kindergarten, regional management and a trade union representative, it became clear that the management itself was biased against F, leading him to suspect that they never did anything about the racist attacks. In another conversation, the parents were again racially abusive in front of the kindergarten management, regional management and union representatives and claimed that F. was violent because of his ethnicity and that they would report him. F. was distraught and turned to ZARA. A ZARA counsellor conducted several relief interventions, explained his legal options and established contact with partner organisations. She also accompanied him to a counselling session at the Office for Combating Discrimination of the City of Vienna.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Exchange/coordination with partner organisations
- Accompaniment to the authorities



22 Racist examination committee

O. was top of her class in her cooking apprenticeship course and was always praised in the WKO preparation course and during her internships in a renowned hotel. During her practical final examination, she was racially discriminated against. The examination committee, consisting of three men and a female supervisor from the WKO, did not take notes during the examination. When the examination results were announced and O. entered the room, one member of the jury in particular made racist remarks. He was irritated by her accent and commented on her internship placement. Grinning, he then told her that she failed the exam. He shouted at her about the allegedly poor quality of her food. When O. asked why they then finished their plates, she received no response. The examiner then added that she should take another German course. Another examiner told her that she should also take a cooking course. The next day, O. went to her school to complain. All her teachers reacted with shock to her descriptions of the exam and could not understand why she failed. O. sought legal advice from ZARA and a counsellor sent a letter of intervention to the WKO. Despite enquiries, the WKO's response did not include any substantive discussion or examination of the case.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of a letter of intervention

23 Racial discrimination by a teacher at a secondary school

B. was a student in his first year of middle school. As the class was getting a test back, one of B.'s classmates used an Arabic phrase equivalent to 'For God's sake' to express his frustration with his grade. The teacher wanted to know what the phrase meant. B. translated; upon hearing that the word 'Allah' in the translation, the teacher was horrified, upset and angry, and stated that he was not allowed to speak Arabic in class. Shortly afterwards, the school administration asked to talk to B.'s mother about this 'incident'. Six female teachers and a man who was introduced to the mother as an official for the prevention of extremism were also present. The officer stated that the students should be happy to be in Austria. B.'s teacher complained that the children were talking about religion in class. Subsequently, the head teacher suggested that B. change schools. B.'s mother contacted ZARA shortly before the end of the semester. After this incident, B. was harassed and excluded from all field trips by the teacher until the end of the semester. The mother couldn't see a solution and wanted to change schools; ZARA supported her in this by reaching out to the Board of Education and other responsible bodies. Because B. still had an exam in autumn, ZARA delayed sending a letter of intervention to the school until then. Ultimately, a mediation talk between all parties involved at the beginning of the following semester resolved the conflict to the extent that B. ended up not wanting to change schools.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Exchange with the authorities

Students are legally protected from racial discrimination and harassment by educational staff. If racial discrimination occurs, this constitutes a violation of the Equal Treatment Act (→ Glossary, p. 70) or the relevant state laws (e.g. the Vienna Anti-Discrimination Act → Glossary, p. 73).

Defending oneself legally against racial discrimination in the education sector is complex, as this area is governed in part by federal laws and in part by state laws. The power disparity between the school or teacher and the student is often another reason that victims are discouraged from taking legal action.

How can I take action against discrimination in education?

First of all, there's the option of talking with the person involved or their superior with the aim of achieving a change in behaviour and/or to get the school to address racist incidents and to raise the awareness of as many people as possible involved in everyday school life. You can also lodge complaints about misconduct in schools to the Boards of Education.

Legally, you can, for example, proceed according to the Equal Treatment Act. In order to determine whether a violation has occurred, proceedings can be initiated before the Equal Treatment Commission (→ Glossary, p. 70). This procedure does not entail any cost risks, but the decisions are not compulsorily enforceable.

In addition, it is possible to bring a suit to court. In these proceedings, however, the plaintiff bears a cost risk. The consequence of such an suit can be the payment of damages. However, the often desired change in behaviour can only be brought about very indirectly, through compensation for damages.

In addition to Equal Treatment Act, disciplinary consequences (e.g. reprimands, fines, dismissals) or criminal provisions (e.g. insults) may also be applicable, depending on the facts of the case.

How can ZARA help?

During counselling sessions, ZARA will discuss all relevant aspects and options with you so that you can decide for yourself what path you would like to take. For example, ZARA can contact the school, accompany you to mediations or draft a letter of intervention (→ Glossary, p. 71) that points out the discrimination and demands improvements. ZARA Training can be recommended to the school or class, for example on the topic of diversity or awareness: www.zara.or.at/en/training

If legal action is desired, ZARA can establish contact with the Ombud for Equal Treatment (→ Glossary, p. 70) so that they can offer support in proceedings before the Equal Treatment Commission.

Politics and media



This chapter contains a selection of the 21 incidents reported to ZARA that involved politics and the media. This category includes any racist incidents that were provoked or spread by politicians, political parties or traditional media (print, radio and television) both online and offline.

24 Burqini ban by local council

An anonymous reporter reached out to ZARA via the contact form to report that she was forbidden to swim in a full-body swimming costume at a public swimming pool in a village in Lower Austria. Upon asking the mayor of the village whether this is legal, he stated that the local council had authorised it. When she read the swimming regulations, she could only find a paragraph referring to 'customary bathing attire'. ZARA's investigation revealed that in 2017 there had been efforts by individual city councillors in this local council to issue direct instructions to the pool attendant not to allow burqinis. In order to enforce this, they decided to insert the neutral-sounding clause of 'customary bathing attire' into the bathing regulations of the local outdoor pool. However, the racist motivation behind this wording is clear from the comments made during the discussions in the local council at the time.

What did ZARA do?

- Documentation
- (Legal) counselling

25 Use of the N-word in a children's radio programme

L. reported to ZARA that she had heard a children's song on the radio in which the N-word was used several times and requested that ZARA intervene. A ZARA counsellor wrote a letter of intervention to the radio operators and explained the issue. The radio operators responded quickly, thanked ZARA for drawing their attention to the song and immediately removed it from their song catalogue. They also asked ZARA to report such cases by telephone in future so that the process could go more quickly.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of a letter of intervention

One-sided, racist reporting in the media is often legally unprosecutable or difficult to prosecute. Newspapers are allowed to decide for themselves which news and (permitted) opinions they publish. A complaint can be successful if someone's rights have been violated, e.g. in cases of defamation, incitement to hatred (→ see Know your rights – Taking incitement to hatred as an example, p. 34), violations of the presumption of innocence or violations of the Prohibition Act (→ Glossary, p. 72).

In addition, there is a voluntary self-regulation for print media and their websites: the Code of Honour of the Austrian Press Council[1]. It sets out certain rules for journalists' work, such as avoiding blanket suspicion and discriminatory and racist reporting.

How can I take action against racist media coverage?

Anyone can make a complaint about racist reporting directly to the media owner (e.g. the newspaper) and emphasise that readers reject racist articles or statements. In addition, one can file a notice or a complaint with the Austrian Press Council. Regardless of whether the media organisation subsequently has to print the decision, the Austrian Press Council publishes selected decisions on its website.

Warning: The Press Council is not responsible for media that is solely online, on the radio or on television.

In some cases, it may also make sense to seek legal assistance in order to proceed under the Media Act.

How can ZARA help?

ZARA counsellors can support you in all these steps and offer legal advice.

Please note: When reporting, be sure to include relevant links, screenshots, the name of the print medium and information about the content and time of publication.

1 www.presserat.at

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Police



This chapter contains a selection of the 58 incidents reported to ZARA that involved the police. This includes all reports that were in some way connected with security administration and public security bodies.

26 Recurring ethnic profiling on the shopping street

P., a Roma woman, was approached by a police officer in plain clothes and accused of stealing. He showed her several photos he'd taken of her on his mobile phone; it appeared that he had been following and observing her over a longer period of time. The officer took her to a police station, where he checked her criminal record. A month later, P. was once again confronted by the same officer. P. was very upset and frightened by this and went to the nearest police station to report the officer. When P. returned the next day with her social worker to inspect the files, she was told that nothing had been filed against her. The police officer on duty classified the officer's behaviour as unprofessional and harassment. The social worker then turned to ZARA for support. A counsellor drafted a guidelines complaint (→ Glossary p. 72) about the harassment from the officer. The officer's superior then invited P., accompanied by ZARA, to a mediation talk, (→ Glossary p. 71), during which he apologised to P. for the officer's behaviour. The officer was given clear instructions that the behaviour must not happen again, which gave P. a sense of security.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of complaints and appeals
- Accompaniment to mediation talk

27 Fine for civic behaviour

While on the street, U. noticed an elderly man with a walker who was visibly confused and disorientated. She approached him and realised that he didn't speak German but, like herself, spoke Farsi. U. attempted to find out his name and where he lived, but he couldn't remember. Unsure of what else to do, U. called the police. After some initial hesitation, an officer decided to take the gentleman to the police station for the time being. U. communicated this to the man and eventually found out his name and place of residence. Finally, she asked the officers to inform her when the gentleman arrived home safely. The officers then suddenly became extremely aggressive and told U. that it was none of her business and asked what she thought they were planning to do to him. U. felt threatened and intimidated. Later, she was issued a 200 euro fine for aggressive behaviour. U. turned to ZARA for support. However, she had received incorrect advice from a private person, who told her that she needed a lawyer to contest the fine. She therefore paid the fine before ZARA could give her legal advice. A ZARA counsellor conducted a long counselling session with the victim, who was extremely frustrated by the whole situation.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention

28 High administrative fines for burping

A youth organisation reported two incidents to ZARA: young people were issued very high administrative fines for allegedly 'deliberately burping' at police officers. In one case, D. was hanging out with friends in a Viennese park while celebrating a birthday. The police checked the IDs of two friends at a neighbouring table. Because D. knew that his friends didn't speak German, he wanted to help translate for the officers. One of the officers scolded them and said that they should learn German. During the police check, which went on for 40 minutes, the group continued to eat and drink. Someone burped, which made the police officers angry, with one stating: 'You'll all get a charge if no one admits to burping'. D., who was standing next to the officer at the time, said that if charging someone was of such urgent importance, he could have his details. The police officer then violently attacked him, insulted him and pushed him to the ground, but then let him get up again, saying: 'Get up, do you think you're cool?'. D. then left the park and has not been back since. He received an administrative fine of 1,700 euros, which the reporting youth organisation had already unsuccessfully appealed (in the similar appealed case, the further appeal period had already expired). A ZARA counsellor wrote an appeal against the decision and represented D. at the hearing before the administrative court. Two of the three fines were annulled, in particular the burping, and one fine was reduced to EUR 100. Out of fear of retaliation, the client did not want to lodge a guidelines complaint.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of complaints, appeals
- Representation before the administrative court

29 Ethnic profiling of a climber

H. travelled to Vienna from Linz to go climbing with a friend. Beforehand, he planned on buying climbing equipment from a seller on Willhaben. Upon arriving in Vienna, he waited at Praterstern for the seller to tell him the exact meeting point. He was already carrying a hiking rucksack with him, complete with climbing ropes and a helmet. As he was sitting on a bench and waiting, he was approached by four police officers and told to identify himself. When they asked him why he was in Vienna, H. did not feel obliged to answer these questions because he had not behaved unlawfully. He was then accused of sitting on that particular bench in order to watch the children playing. Because he was in a weapons prohibition zone, the officers demanded to search H.'s rucksack. H. refused and pointed out that he did not have to agree to any voluntary searches. The next moment an officer tried to grab the rucksack, but H. was still holding it. All of a sudden, H. was grabbed and pushed to the ground, causing several abrasions and injuries. After spending several hours in a cell, he was issued with a fine of 156.75 euros for aggressive behaviour. H. turned to ZARA and was offered support in drafting an appeal against the decision.

What did ZARA do?

- Documentation
- (Legal) counselling
- Relief and/or strengthening intervention
- Drafting of complaints and appeals

If police officers racially discriminate against someone in the course of their work, there are ways to take action in certain situations. Certain codes of conduct are laid out in the Directive for Interventions by Members of the Public Security Services (→ Glossary, p. 72). For example, police officers must refrain from doing anything that could give the impression of bias or could be perceived as discrimination on the basis of ethnicity. According to the directive, officers must also inform those targeted by the official police act of the reason for the intervention, and must give their officer number upon request.

Additionally, various laws[1] regulate when police officers may carry out ID checks. The police are allowed to carry out ID checks only if there is a legal basis for doing so. Being checked solely on the basis of skin colour or ethnic affiliation is unlawful (Ethnic profiling → Glossary, p. 70).

How can I take action against racist police violence?

If, for example, a person is stopped on the basis of ethnic profiling, the person affected can file a procedural complaint with the provincial administrative court or a guidelines complaint with the competent provincial police directorate within six weeks.

If a procedural complaint is filed, independent judges decide whether the intervention of the police officers was unlawful. There is no right to compensation in these proceedings. In addition, there is a cost risk for the complainant. As a result of such a procedure, disciplinary proceedings can be initiated against the acting police officer, but the victims have no influence on this and receive no information about it.

If a guidelines complaint is made, the allegations will be investigated and the complainant must be informed in writing whether there has been a breach of regulations. The regional police department can also facilitate a discussion between representatives of the department, the officers concerned and the complainant. This is referred to as a mediation talk (→ Glossary, p. 71).

If the person concerned is satisfied with the outcome of this mediation, the procedure is finished. Up until then there is no cost risk. However, if the person concerned is not satisfied with the mediation, the procedure continues in writing. If the complainant is also not satisfied with the written result, they can request a review by the National Administrative Court. In this case, there is also a cost risk, which is why victims often do not apply for a judicial review.

How can ZARA help?

ZARA can support you with both procedural and guideline complaints and accompany you through the procedure. In some cases, ZARA can take over the cost risk through a specific legal aid fund.

You can find the ZARA brochures on dealing with the police for victims and witnesses here:

1 e.g. § 35 Security Police Act (→ Glossary, p. 72), § 118 Code of Criminal Procedure (StPO), § 34 Aliens' Police Act (FPG)

Employment

KNOW YOUR RIGHTS – Taking racial discrimination in the workplace as an example

If someone is racially discriminated against or racially harassed in connection with employment (e.g. when applying for a job, being promoted, being paid or dismissed), this constitutes a violation of the Equal Treatment Act (→ Glossary, p. 70).

How can I take action against racial discrimination in employment?

One option is to lodge a complaint with the Equal Treatment Commission (→ Glossary, p. 70). These proceedings are free of charge, but the Equal Treatment Commission, unlike the courts, can only express recommendations, but cannot force an action.

On the other hand, one can raise a civil suit in court. A court decision is always legally binding and can also force the (potential) employer to pay damages. In a civil law suit, however, there is a considerable risk of legal costs for the plaintiff.

The law stipulates that the person concerned 'only' has to make a prima facie case of discrimination (Reduction of the burden of proof → Glossary, p. 69). If this prima facie case can be made, the court/Equal Treatment Commission must find discrimination if the (potential) employer cannot prove that it is more likely than not that another, permissible reason was decisive for the action in question.

An unlawful dismissal can be contested, but there is a very short deadline – two weeks – to do so. The Chamber of Labour (Arbeiterkammer) provides support in filing legal challenge with the Labour and Social Court. Ideally, you should contact the Chamber of Labour legal experts as soon as you receive the notice of termination.

How can ZARA help?

Our prioritisation of victim-centred counselling work – in order to be able to support and accompany victims of racism more intensively and sustainably – entails a significant additional effort in case processing. Due to our limited resources, in 2022 we decided to limit our counselling work to the areas of life for which there is no support by other relevant counselling services. As a result, reports related to employment are referred to the Ombud for Equal Treatment (→ Glossary, p. 69) or the Chamber of Labour, where the next steps are discussed in consultations and, if necessary, action is taken.

Counselling and support services

Ombud for Equal Treatment:
www.gleichbehandlungsanwaltschaft.gv.at/unser-angebot/beratung-und-unterstuetzung.html

Chamber of Labour:
www.arbeiterkammer.at/kontakt

Our demands for a national action plan against racism

National action plans are drawn up by the government in cooperation with the administration, civil society and other experts to prioritise specific concerns. The current 2020–2024 government programme includes the creation of a national action plan against racism.

The government's plan is partly due to the EU Commission's work, which recommended that all member states implement such a national plan by the end of 2022. ZARA supports the implementation an action plan in order to take effective and comprehensive action against structural and institutional racism. ZARA has therefore made its own proposals as to how such a plan should be developed, and has supported relevant civic efforts that have loudly demanded a NAP against racism and discrimination.

ZARA has recommended involving community organisations and independent experts, and providing adequate funding. ZARA's demands include ambitious goals and the necessary measures to achieve them.

Goals

1. Safety and support
2. Equal opportunity and treatment
3. Participation and representation
4. Solidarity and community

Summary of measures

1) Safety and support

To increase protection against racist incidents and criminal offences, accessing effective support should be easier for people directly affected by racism. The police should protect the human rights of all people, regardless of their individual characteristics. New measures to make reporting racist incidents easier and a victim-centred process will help to achieve this goal.

2) Equal opportunity and treatment

Addressing the lack of equal opportunities for people who experience racism, in all the areas of life mentioned in the Racism Report. Active measures must be taken to combat socioeconomic inequality. Effective protection against racism and discrimination in all areas of life must be ensured in order to promote inclusion and equal participation. Improving protection against racism and discrimination in the school system.

3) Participation and representation

Supporting the representation and participation of marginalised people in all areas of life, especially in under-represented areas. Combating racism in the media and removing barriers to access to leadership positions for marginalised people.

4) Solidarity and community

Communal efforts to understand and eliminate the prevalence and impact of racism. Critical analysis of racism in all school curricula, while simultaneously revising content that is racist. This serves to promote civil courage and raise awareness of individual responsibility and the role of society as a whole in the fight against racism.

Measures to achieve Goal 1: Safety and support

Raising awareness

→ Target-group-oriented hate crime awareness training and initiatives to support specific groups that may be affected by discrimination are offered to civil organisations and people working in the health, education and youth sectors.

Funding

→ Organisations that offer legal and psychosocial counselling to victims of racism and empower them by providing guidance, planning, decision-making and coping mechanisms have increased (financial) independence.

→ Training for judges ensures the practical application of 'special aggravating circumstances' in accordance with section 33 para. 1 line 5 of the Austrian Criminal Code in proceedings for prejudice-motivated offences. In addition, the training addresses the recognition of prejudicial motives and the special needs of victims of hate crimes.

Access to justice

→ The right to equal treatment includes a right for associations to initiate proceedings in all cases according to the equality legislation for the Ombud for Equal Treatment (→ Glossary, p. 70) and the Litigation Association (Klagsverband).

→ ZARA, the Litigation Association and other relevant organisations are granted party status (→ Glossary, p. 71) in administrative criminal proceedings under the Introductory Act to the Administrative Procedure Acts (→ Glossary, p. 69) (Art. III para. 1 line 3 and 4) and in proceedings under the Austrian Trade Act concerning the revocation of trade licences on the grounds of racist behaviour on the part of the trader as defined in Section 87 para. 1 line 3 of the Act. Anti-racism officers

→ It's recognised that dedicated anti-racism officers are needed in public institutions: similar to disability officers, they keep a keen eye on the perspective of victims of racism, in order to point out and reflect on systemically entrenched, small-minded perspectives.

Police

→ Police officers are aware of their function as role models and representatives of the state. Their official actions always put de-escalation first, which helps strengthen the trust of all people living in Austria in the police.

→ As a preventive measure, working conditions in the police force are improved so that the officers' exhaustion and stress levels are reduced so that they are able to take on this challenging and demanding work.

→ Police operations are debriefed immediately afterwards and self-critically evaluated within the team. In order to improves this process, specifically trained evaluation officers are regularly called in for assignments, who ensure more detailed post-operation reflections at different police departments.

→ Community policing (e.g. neighbourhood police) is increased; trust is built through significant, respectful contact between communities and the police, which leads to the police having a strong understanding of the communities involved. This supports the further development of a police culture that prevents racism.

→ Police misconduct is investigated through independent complaint mechanisms.

→ The cost risk for procedural and guideline complaints (→ Glossary, p. 72) is abolished.

→ Responses to guideline complaints include well-founded justifications and all complainants have the opportunity to participate in a 'mediation talk' (→ Glossary, p. 72), which is moderated by an external and independent body. At the request of the complainant, the police officers involved in the incident will participate in the mediation talk for guideline complaints.

→ In the case of police misconduct that meets the standards of criminal law, the internal disciplinary standard for state officials is stricter than criminal law, marking the outermost limit of social coexistence.

→ Those affected by possible police misconduct are reliably referred to the suitable civil institutions by the police.

→ Appropriate measures to effectively prevent ethnic profiling are developed, systematically implemented and regularly evaluated.

- → Administrative fines are written in a sufficiently transparent manner so that they do not give the impression of being racially motivated.

- → Training on hate crimes and the sensitive use of language prevent secondary victimisation and retraumatisation during report-taking and questioning.

- → Victims of racism who have perceived police work as prejudiced have the opportunity for easy-to-access mediation talks with the police officers involved and their superiors. The needs of victims are taken seriously.

- → The police pursue measures to ensure the reliable identification of prejudicial motives in criminal offences when reports are made and in their subsequent investigative activities. They further develop the measures in a regular evaluation process to strengthen them.

Hate crimes

- → A referral system (→ Glossary, p. 73) is established that guarantees the best possible legal, social and psychological support, along with comprehensive protection and security for all those affected by hate crimes. Under the referral system, cooperation between law enforcement and community organisations, victim protection agencies, support organisations and initiatives is founded on a legal basis that includes standards for data transfer to ensure that the referrals ensure the security and data protection of hate crime victims. All organisations involved in the referral system that work directly with victims take measures to become trauma-sensitive organisations and train their staff accordingly.

- → Cooperation between different community organisations, victim protection agencies, support organisations and initiatives is standardised and adequately funded to ensure comprehensive support for victims of hate crimes.

- → Training for law enforcement agencies follows a victim-centred approach and includes strategies to prevent secondary victimisation (→ Glossary, p. 72). At the same time, the training includes information on how to deal with victims of hate crimes with sensitivity, and in particular how to refer them to community organisations, victim protection agencies, support organisations and initiatives.

- → Comprehensive awareness-raising measures on hate crimes are carried out on an ongoing basis and are financed by the public sector, with the aim to raise awareness among (potential) victims, allies and the general public in order to recognise prejudice, understand the social impact of hate crimes and strengthen their ability to take a stand and take practical action in the event of a hate crime.

- → The publishing of the Ministry of the Interior's annual Hate Crime report in Austria is guaranteed and supplemented by data on hate crimes systematically collected by the Federal Ministry of Justice. All institutions and organisations involved in the referral system regularly exchange information on the data collected on hate crimes in order to gain insights into the extent, type and unrecorded hate crime cases.

Measures to achieve Goal 2: Equal opportunity and treatment

Inclusion

→ Equal opportunities for all are achieved through an inclusion-based, rather than integration-based, approach. Unlike integration, the concept of inclusion views all people as equal individuals, is not oriented towards a standard declared as the norm, creates an environment of equal participation and as a result supports deeper changes in the system.

→ All people whose primary residence – and thus centre of life – is in Austria are granted the right to vote and stand for election after three years at the latest.

Protection against discrimination

→ The Equal Treatment Act provides uniform protection throughout Austria in all areas of life for all grounds of discrimination listed in Article 21 (1) of the Charter of Fundamental Rights of the European Union (→ Glossary, p. 69), such as skin colour, ethnic or social origin, language, membership of a national minority, religion or belief, political or other opinion, genetic characteristics, sex, property, birth, disability, age or sexual orientation.

→ The Equal Treatment Act protects against discrimination in the areas of art, culture, sports, media, police, justice, public spaces, artificial intelligence and online (e.g. computer games, social media, metaverse).

→ A well-founded discussion on the question of whether the German term '~~Rasse~~'[1] should be removed from all Austrian legal provisions takes place.

Education

→ The structures of the education system ensure equal opportunities and prevent the discrimination and exclusion of students. There are no compulsory separate German classes, but rather inclusive schooling for all.

→ Multilingualism is part of everyday school life. Not only English, French, Spanish and Italian are promoted in schools, but also languages that are commonly spoken in Austria. Teachers build the relevant competencies through training and further education. All students have the opportunity to attend classes in a language they understand.

→ Anti-racist thinking, and the understanding of racism as a tool, is part of the curriculum and is dealt with in different subjects (e.g. history, geography, economics, political education).

1 The term was used to classify people on the basis of supposed biological characteristics. Today, usage of the term is avoided due to its historical association with racist ideologies and its scientific untenability. Instead, the terms cultural diversity, ethnicity or descent are favoured in anti-racist contexts. The term is increasingly avoided in new legal texts, but is nevertheless used in many (even fundamental) national, European or international legal texts. Although the term is historically loaded in German-speaking contexts and is avoided, in English the term 'race' often refers to cultural or ethnic diversity and is used more frequently.

Goods and services

- → Providers of goods and services are committed to an anti-racist organisational culture and anti-racist policies towards their customers.
- → Providers' existing codes of conduct or house rules include anti-racist rules of conduct.
- → Providers analyse where and how degrading, hurtful, humiliating and exclusionary behaviour may occur towards their customers and take appropriate measures to actively counteract such misconduct at both the individual and organisational level in order to carry out anti-racist behaviour when dealing with customers.
- → Providers with 50 or more employees establish effective internal grievance procedures for customers who have been treated in a derogatory, hurtful, humiliating and exclusionary manner. They develop these procedures together with people possessing lived experiences of racism and community organisations.
- → Anti-racist codes of conduct, house rules and complaint systems are easy for customers to access.
- → Providers motivate their staff to participate in training and further education that strengthens their anti-racist view.
- → Providers of goods and services, sector-specific interest groups, counselling institutions and community organisations network with the aim of continuously improving the anti-racist treatment of customers and implementing targeted prevention measures.

Sanctioning discrimination

- → All violations of anti-discrimination protection standards (e.g. Art III para. 1 line 3 of the Introductory Act to the Administrative Procedure Acts; Equal Treatment Act → Glossary, p. 70) by commercial enterprises are recorded in a database by the competent authorities, which facilitates the correct application the provision of Section 87 para. 1 line 3 of the Austrian Trade Act regarding discriminatory conduct.
- → In addition, systematic communication between relevant authorities ensures that in case of repeated violations of anti-discrimination standards by a business, the business licence is revoked.
- → The implementation of codes of conduct or house rules that strengthen anti-racist approaches by providers of goods and services is regularly monitored by an institution adequately financed by the public sector.

Measures to achieve Goal 3: Participation and representation

Education

- → The make up of elementary and secondary school teachers reflects the diversity of the people living in Austria.
- → The teaching materials also reflect the diversity of Austrian society.
- → There are effective structures to provide support for victims of racism, other forms of discrimination, and hatred online in every educational institution and education board.
- → Racist behaviour by teachers leads to disciplinary action.
- → The Office of the School Ombuds at the Federal Ministry of Education, Science and Research will be further developed into a easy-to-access contact point for victims of racism and other forms of discrimination whose complaints have not been dealt with appropriately at their own educational institution. It has subject matter expertise and sufficient resources to adequately support those affected. In the annual reports, specific incidents of racism and other forms of discrimination and grievances are named, documented and published anonymously.

Police

- → The composition of the police force reflects the diversity of the people living in Austria, as a diverse team benefits from different experiences and thus allows for a better approach to different parts of the population.
- → The Federal Ministry of the Interior produces an annual diversity report that contains nationwide data on the personnel structures of the security authorities and all measures that the Ministry has implemented annually in the field of diversity in order to counteract structural racism.

Legislative changes

- → Legislators focus their analysis of legislative proposals not only on their effectiveness and taking into account equality between women and men, but also include considerations of overcoming structural racism. Establishing a non-partisan working group on racism in parliament (i.e. an intergroup) is a step towards achieving this.
- → Legislative changes and the associated public discourse, especially in the field of counter-terrorism, take the protection of all human rights (e.g. freedom of expression, freedom of religion, freedom of assembly, anti-discrimination) seriously, and do not lead to the silencing (→ Glossary, p. 72) of people assigned to socially constructed groups.

Asylum system and immigration

- → Political decision makers and legislators shape the asylum system, immigration and integration policy according to human rights standards – so, in a anti-racist way. They don't misuse these topics for racist discourse. The administration takes precautions against structural and institutional racism and implements measures in these areas accordingly.

Media

- → Through continuous effort, the different professional groups within media companies reflect the diversity of the people living in Austria.
- → The media no longer mentions the ethnicity perpetrators, because linking crime and background has no informational value, but instead supports and reinforces prejudice.

→ Media professionals undergo special courses in their core curricula that focus on the role of the media in an anti-racist society. They learn to take an intersectional approach to their journalistic work, thereby establishing an awareness-raising approach on the topic of racism. In this way, they promote a public discourse that is anti-racist and triggers constructive debates.

Measures to achieve Goal 4: Solidarity and community

Funding

→ The availability of resources is adequately and sustainably ensured for institutions and organisations whose mandates focus on combating and preventing racism, such as anti-Semitism or anti-Black, anti-Muslim, anti-Roma and anti-Sinti racism, and who therefore significantly contribute to promoting social cohesion and a more resilient democracy.

→ Adequate and sustainable funding covers counselling, documentation, data analysis, networking, prevention and awareness-raising work, along with supervision, safe spaces, and training in the form of workshops, symposiums, materials and the costs for multilingualism, among other things.

→ Adequate and sustainable funding enables regular exchange and implementation of joint projects with relevant stakeholders.

→ Comprehensive, publicly funded, multilingual campaigns support the development of an anti-racist society.

→ Overall social awareness of racism and programmes for raising awareness and empowering those (actually and potentially) affected by racism are systematically, sustainably and comprehensively promoted.

Exchange and networking

→ A discussion platform is set up where NGOs and community organisations can regularly and effectively exchange information with the federal government on current challenges in the fight against racism and its prevention, as well as on relevant scientific analyses.

Ombuds Office

→ The selection and appointment procedure of ombuds is reformed; this reform is carried out in close consultation with civil society and guarantees the political independence of the Ombuds Office.

→ The reformed selection procedure enables a larger number of potential candidates to apply, which does justice to the diversity of people living in Austria and thus includes a broader spectrum of social groups with different educational backgrounds. Human rights expertise is a deciding criteria.

→ The selection and appointment process of ombuds is based on a broad consultation with and/or participation of NGOs and community organisations.

→ The selection and appointment procedure guarantees universal coverage of all human-rights-relevant topics, so that the Ombuds Office enjoys full confidence in handling complaints from all people living in Austria, regardless of whether they are asylum seekers, victims of racial police violence or other forms of racism.

→ The recommendations of the Ombuds Office include, where appropriate, measures to combat structural and institutional racism.

Individual responsibility

→ Anti-racist thinking and actions are part of our day-to-day life and socialisation, while structural and institutional racism are recognised as such and combated.

→ Acquiring knowledge and reflecting on racism and other forms of discrimination is natural, i.e. part of our everyday life. Genuine interest in the experiences of those affected by racism and talking and listening to each other without judgement is part of this knowledge building. Engaging in potentially uncomfortable conversations about racism and *white* privilege is also part of this.

→ *White* privilege is recognised as part of our reality, which makes us take responsibility for racism as a construct that structures our society, economy and politics – in other words, our thinking and social coexistence.

→ *White* privilege and resources are used to share power and open up spaces or create opportunities for participation for those affected by racism.

→ Actively examining racism, i.e. acting in an anti-racist way, is part of our everyday life. This includes, for example, critically examining existing norms and customs and recognising opportunities to act as allies in order to actively stand up for anti-racist values, solidarity and equal treatment. Civil courage is an everyday part of anti-racist actions.

→ Lifelong learning, in the sense of constant reflection on and dismantling of prejudices, is part of a fundamental anti-racist approach, which takes criticism of racist behaviour and approaches seriously and leads to the careful handling of racist incidents.

→ There is a consensus throughout society that no one wants to live in a society where racism is part of everyday life for many human beings, so racism is always addressed.

Responsibility of decision makers

→ The make up of all state institutions reflects the diversity of the population. Staff management proactively seeks to increase staff diversity.

→ Public institutions and organisations monitor individual actions and overarching organisational rules, measures and practices in order to identify structural and institutional racism quickly and to enable active action against these forms of racism.

→ Public institutions regularly publish standardised statistics and reports on complaints about racism, racism at the structural and institutional level, and measures and prevention work in the field of anti-racism.

→ In public discourse, taking responsibility for racism's instrumental use is a fixed part of political and media culture.

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Contact points for victims of racism

In addition to ZARA, there are many other organisations that can offer you support. The majority are based in Vienna and are active throughout Austria.

AFRO RAINBOW AUSTRIA (ARA)

Contact point for and by LGBTQI+ migrants from African countries in Austria.
Email: office@afrorainbow.at
Website: www.afrorainbow.at

ANTI-SEMITISM REPORTING OFFICE OF THE JEWISH COMMUNITY OF VIENNA

Documents and advises victims and witnesses of anti-Semitic incidents.
Email: meldung@ikg-wien.at
Tel.: +43 1 53104-777 or +43 1 3698526 (for cases of imminent danger)
Website: www.antisemitismus-meldestelle.at

DOCUMENTATION CENTRE FOR ISLAMOPHOBIA & ANTI-MUSLIM RACISM

Documentation and counselling centre for people who experience Islamophobia and anti-Muslim racism.
Email: office@dokustelle.at
Tel.: +43 676 4040005
Website: www.dokustelle.at

OMBUD FOR EQUAL TREATMENT (GLEICHBEHANDLUNGSANWALTSCHAFT)

Offers counselling and support for discriminatory situations.
Email: gaw@bka.gv.at
Tel.: 0800 206119
Website: www.gleichbehandlungsanwaltschaft.gv.at

HELPING HANDS

Supports with (foreign) law, integration and racism-related problems by offering concrete and individual solutions.
Email: info@helpinghands.at
Tel.: +43 1 310888010
Website: www.helpinghands.at

INITIATIVE FOR A NON-DISCRIMINATORY EDUCATION SYSTEM

Anonymously documents experiences of discrimination in education.
Email: office@diskriminierungsfrei.at
Website: www.diskriminierungsfrei.at

ROMANO CENTRO

Fights against discrimination towards Roma and Sinti and offers life and social counselling, especially for women.
Email: office@romano-centro.org
Tel.: +43 1 7496336 or
+43 1 749633615 (to make an appointment)
Website: www.romano-centro.org

UNDOK – CONTACT POINT FOR THE UNION SUPPORT OF UNDOCUMENTED WORKERS

Provides workers with or without insecure residence or limited access to the labour market with information about their rights and offers advice and support in enforcing labour and social law claims.
Email: beratung@undok.at
Tel.: +43 1 5344439040
Website: www.undok.at

In addition to these contact points, there are other anti-discrimination offices throughout the federal states. ZARA will be happy to put you in touch with them as needed.

Glossary

In non-alphabetical order

HARRASMENT (BELÄSTIGUNG)
Harassment is a form of discrimination under the Equal Treatment Act (see below), in which a person's dignity is or is intended to be harmed on the basis of one or more specific (actual or attributed) characteristics, such as ethnic origin, religion or gender and which creates or is intended to create a burdensome (e.g. intimidating or hostile) environment for the person affected.

INSULT (BELEIDIGUNG)
see → Simple insult or → Qualified insult

REDUCTION OF THE BURDEN OF PROOF (BEWEISLASTERLEICHTERUNG)
Evidence and credibility are important elements in clarifying the facts before a court. Often, the complainant is in a weaker position than the defendant. The Equal Treatment Act addresses this unequal balance of power by establishing the reduction of the burden of proof. This means that if the complainant can credibly present a case of discrimination, their statements are assumed to be true. The statements of the defendant (e.g. the allegedly discriminating person) are only to be assumed to be true if the person can prove 'that, after all circumstances have been taken into account, it is more probable that another motive, which can be plausibly proved by the accused, was decisive for the different treatment.' Credibility is easier to achieve than proof.

DISTRICT ADMINISTRATIVE AUTHORITY (BEZIRKS-VERWALTUNGSBEHÖRDEN – BVB)
The district administrative authorities encompass the district authorities or the municipalities (in towns and cities with their own statutes; in Vienna, the individual municipal district authorities take on this role). Some of the district administrative authorities' duties in the area of security administration are carried out by regional police departments. The district administrative authority generally is responsible for disciplining those accused of administrative violations in the first instance.

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION
Since December 2000, the Charter has defined the rights and freedoms of people living in the EU. The Charter is binding for EU institutions and bodies; it is only binding for member states when they implement EU law. Among other things, Article 21 of the Charter prohibits 'discrimination based on any ground, such as sex, race , skin colour, ethnic or social origin, genetic attributes, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. *Note: Although the provision aims to combat racism, the directive includes the problematic term '~~Rasse~~' ('race'), which suggests that there are human 'races'. However, the concept of 'race' is a result of racist and colonialist thinking. There is no biological justification for this term and it should be used with extreme caution, especially in the German-speaking world. ZARA has long been calling for this term to be removed from legal texts.*
→ www.europarl.europa.eu/charter/pdf/text_en.pdf

CYBERBULLYING (§ 107C STGB)
Cyberbullying is deliberate public insulting, humiliation or harassment through electronic means of communication (e.g. cell phone, internet), which unreasonably affects the life of the person concerned. The singular publication of, for example, nude photos can also constitute a criminal offence. However, the content must be retrievable for a longer period of time to be considered unlawful.

CYBERSTALKING (§ 107A STGB)
Cyberstalking describes the use of digital communication technologies (e.g. messenger services, emails) to follow or harass other people. Cyberstalking can occur, for example, when a person repeatedly contacts someone via the internet against their will. Such acts are considered cyberstalking if they continue over a longer period of time and unreasonably affect the lifestyle of the person concerned.

SIMPLE INSULT
(EINFACHE BELEIDIGUNG (§ 115 ABS 1 STGB))
A simple insult is a criminal offence that occurs when a person is insulted, ridiculed, physically abused or threatened with physical abuse in front of at least three other people (in addition to the offender and the person concerned).

INTRODUCTORY ACT TO THE ADMINISTRATIVE PROCEDURE ACTS (EINFÜHRUNGSGESETZ ZU DEN VERWALTUNGSVERFAHRENSGESETZEN)
Article III of the Introductory Act to the Administrative Procedure Acts 2008 is an administrative provision that forbids, for example, racial discrimination when entering premises or shops or in the access of services intended for use by the general public. Such acts may be reported to the district or municipal authorities.

INVESTIGATION AND COMPLAINTS OFFICE (ERMITTLUNGS- UND BESCHWERDESTELLE MISSHANDLUNGSVORWÜRFE (EBM))
The Investigation and Complaints Office is an independent office within the Federal Bureau of Anti-Corruption (Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung – BAK). It was established on 22 January 2024. Nationwide, it is exclusively responsible for investigations and enquiries into allegations of mistreatment by police officers and the use of direct coercive force. ZARA is one of seven members of the Investigation and Complaints Office Advisory Board, an independent body that accompanies, advises and monitors the work of the office.

ETHNIC PROFILING
Ethnic profiling (also known as racial profiling) is when the police use criteria such as skin colour, language, presumed or actual ethnicity, religion or citizenship as factors when deciding whether or in what way an official act is to be carried out. This includes, for example, the targeted surveillance of Black people or People of Colour without any concrete suspicion.

DANGEROUS THREAT
(GEFÄHRLICHE DROHUNG (§ 107C STGB))
A dangerous threat is a criminal offence. It takes place when a person dangerously threatens another person in order to arouse fear and anxiety in them.

COUNTERSPEECH (GEGENREDE)
Counterspeech refers to various strategies to actively counter hate on the internet. This can mean responding to a hate post with a counter statement containing facts, humour, or a question in an attempt to calm the situation, clarify one's own position, or call for solidarity. Countering hate with civil courage makes a big difference for those affected and can also motivate 'silent readers' to become active.
→ ZARA's counterspeech tool: www.schnellerkonter.at

OMBUD FOR EQUAL TREATMENT (GLEICHBEHANDLUNGSANWALTSCHAFT (GAW))
The Ombud for Equal Treatment's staff provide advice, support, and information confidentially and free of charge. The Ombud for Equal Treatment has an office in Vienna and the capitals of four other states. It deals with discrimination on the basis of gender, ethnicity, religion or belief, age or sexual orientation in the employment sector. The Ombud for Equal Treatment's team also advises on other areas of life, such as access to shops, housing, education and health.
→ www.gleichbehandlungsanwaltschaft.gv.at

EQUAL TREATMENT ACT
(GLEICHBEHANDLUNGSGESETZ (GIBG))
The Austrian Equal Treatment Act is intended to offer protection against discrimination on the grounds of gender, ethnicity, sexual orientation, religious views and beliefs and age in the context of employment. Outside the employment, it protects against discrimination on the grounds of ethnicity or gender.

EQUAL TREATMENT COMMISSION
(GLEICHBEHANDLUNGSKOMMISSION (GBK))
The Equal Treatment Commission is a special institution that assists the labour and social courts and the civil courts. The Equal Treatment Commission is composed of three senates whose voluntary members represent ministries and social partner organisations. The senates are responsible for dealing with all questions related to discrimination covered by the Equal Treatment Act in their respective areas of competence. They are responsible for drafting expert reports on general issues relating to discrimination. In individual cases, they assess potential violations of the provisions of the equal treatment laws. Both the Ombud for Equal Treatment and the victims are party to these proceedings, which are free of charge for the victim. Victims may also choose to be represented by a person of trust. The result of proceedings before the Equal Treatment Commission is a decision that, in contrast to a court ruling, is not legally binding.

HATE CRIMES

Hate crimes are offences motivated by prejudice directed against groups of people or members of such a group. They are explicitly perpetrated because of the victim's (actual or ascribed) membership to a group, such as age, disability, skin colour, nationality, ethnicity, religion or belief, language, sexual orientation, gender identity and expression, sex or other identity characteristics. Those affected are not only individuals (directly affected) but whole communities (indirectly affected) who share these same characteristics. Hate crimes target a person's personal identity, which is immutable or fundamental to a person's sense of self-esteem. They send a message to the entire community that they are not equal members of society.

INTERSECTIONALITY

Intersectionality refers to the way in which different power structures and forms of discrimination intersect and overlap. These forms of discrimination include gender, age, origin, skin colour, language, religion, sexual orientation, gender identity, social status and appearance, among many other categories. We refer to intersectional discrimination when several such discrimination factors affect a person. The intersectional approach has its origins in the US, where Black feminists and feminists and theorists increasingly criticised the universal nature of the category 'woman' from the 1960s onwards. They pointed out that *white* mainstream feminism only took into account the experiences of *white* women* and called for a feminist examination of other forms of oppression.

LETTER OF INTERVENTION (INTERVENTIONSSCHREIBEN)

A letter of intervention is a non-legal measure that involves written contact with a person, body, institution, organisation or company. In a letter of intervention, grievances, deficiencies, or infringements that the client has experienced are communicated. This is a non-legal measure. ZARA only uses this option at the request of the client.

MEDIATION TALK (KLAGLOSSTELLUNGSGESPRÄCH)

After a guidelines complaint against possible police misconduct, a mediation talk may be arranged. The aim of this talk is to discuss the incident with representatives of the police department and/or the police officer(s) involved along with the complainant, in order to clarify the incident and come to an agreement. If the complainant is satisfied with the course and outcome of the mediation talk, the guidelines complaint procedure may be suspended (→ Know your rights – Taking racial discrimination by the police as an example, p. 54).

PROCEDURAL COMPLAINT (MASSNAHMENBESCHWERDE)

The procedural complaint is a legal remedy against possible police misconduct. The complaint must be submitted to the responsible regional administrative court within six weeks.

OFFENCE PROSECUTED EX OFFICIO (OFFIZIALDELIKT)

An offence prosecuted ex officio refers to a criminal offence or an offence violating the administrative criminal law that is to be prosecuted by the competent authorities ex officio. This means that as soon as a law enforcement authority becomes aware of a possible ex officio offence (e.g. through a report), it is obliged to initiate criminal investigations.

AUSTRIAN PRESS COUNCIL (ÖSTERREICHISCHER PRESSERAT)

The Austrian Press Council is a self-regulatory body of the Austrian print media. It is, for example, responsible for drawing attention to grievances in the press and to counteract them. When media-ethical violations are reported to the Press Council, it may initiate investigations in the course of which it determines whether the publication in question complies with the guidelines laid down in the Code of Honour of the Austrian Press.

→ www.presserat.at

PARTY TO THE CASE (PARTEISTELLUNG)

Being party to an administrative proceeding involves certain rights, including the right to access files, the right to be heard, and the right to be informed about the decision by announcement or delivery of a notification. In administrative criminal proceedings, e.g. if proceedings because of a racial discrimination are initiated in accordance with Article III para. 1 line 3 of the Introductory Act to the Administrative Procedure Acts, the person affected is not a party to the case and is not informed about the outcome of the proceedings.

TRIAL SUPPORT (PROZESSBEGLEITUNG)

Trial support is psychosocial or legal support for victims of violent crimes in court proceedings. Relatives of victims are also entitled to trial support. Note: Since 2021, ZARA has been offering psycho-social trial support for victims of online hate speech offences. The

ZARA representatives can provide information free of charge about court procedures, accompany them to the police and support them in court proceedings.

QUALIFIED INSULT (QUALIFIZIERTE BELEIDIGUNG (§ 115 IVM 117 PARA. 3 STGB))
A qualified insult is deemed to exist if the criminal act against the injured party is committed because of their religious affiliation, ethnic or national affiliation, language, skin colour or nationality – irrespective of whether the characteristics mentioned exist or are attributed to the insulted person. Qualified insults consist of maltreatment, threat of maltreatment or in insult or ridicule likely to cause contempt or disparagement of the injured person in the eyes of the public. In order to be a prosecutable offence, it must take place in front of at least three other people (in addition to the perpetrator and the person affected).

RACIAL PROFILING
See → Ethnic profiling

GUIDELINES COMPLAINT (RICHTLINIENBESCHWERDE)
This complaint procedure is one method to have the behaviour of police officers reviewed by the competent supervisory body and then, if necessary, by the responsible regional administrative court. The criteria for the review are the guidelines laid down in the Directive for Interventions by Members of the Public Security Services.

DIRECTIVE FOR INTERVENTIONS BY MEMBERS OF THE PUBLIC SECURITY SERVICES (RICHTLINIEN-VERORDNUNG (RLV))
This directive contains a number of regulations that law enforcement officers must adhere to in the course of official acts. Among other things, police officers are obliged to refrain from discriminatory behaviour, to disclose their official identification number upon request, and to use the German polite form of address 'Sie'.

EXPOSITION OF THE FACTS (SACHVERHALTSDARSTELLUNG)
An 'exposition of the facts' enables lawyers to check whether a certain act falls under a criminal offence. When drafting a statement of facts, everything must be truthfully reproduced.

SECONDARY VICTIMISATION (SEKUNDÄRE VIKTIMISIERUNG)
Secondary victimisation is when people who experience a racist assault, for example, are unjustifiably held responsible for their situation/the incident itself. Rejection, denial, non-acceptance of the incident or re-injury by the executive (e.g. police/public prosecutor's office) can also cause secondary victimisation. Likewise, a repeated encounter with the with the perpetrator can also be perceived as degrading and victimising.

SILENCING
Silencing is defined as making people silent and showing them that their opinion is unwanted through various means. This phenomenon leads to people withdrawing from social discourses both online and offline, which in turn leads to reduced diversity of opinion.

SECURITY POLICE ACT (SICHERHEITSPOLIZEIGESETZ (SPG))
The Security Police Act regulates the organisation of the security administration and the maintenance of public peace, order and security in Austria.

PUBLIC PROSECUTOR'S OFFICE (STAATSANWALTSCHAFT (STAW))
The public prosecutor's office is responsible for criminal prosecution and enforcement and is thus part of the executive branch. It is also known as the prosecuting authority.

SYMBOLS ACT (SYMBOLE-GESETZ)
The Symbols Act is an Austrian federal law prohibiting the public use of symbols of the particular groups mentioned in the law.

TRUSTED FLAGGER (STATUS)
Trusted Flagger is a status given by some operators of social networks to trustworthy institutions (e.g. ZARA). Reports by Trusted Flaggers concerning problematic and illegal contents on social networks are given priority and are examined more thoroughly. This results, for example, in quicker reactions and greater success concerning the removal of such content. ZARA holds the Trusted Flagger status on social media platforms such as Twitter, Instagram and Facebook.

PROHIBITION ACT (VERBOTSGESETZ)
The Prohibition Act prohibits various acts associated with National Socialism (e.g. National Socialist radicalisation). Furthermore, it prohibits one to deny, grossly trivialise, approve or justify the National Socialist genocide or other National Socialist crimes against humanity.

INCITEMENT TO HATRED
(VERHETZUNG (§ 283 STGB))

The offence of incitement to hatred is committed when there is an incitement to violence or hatred against certain protected groups or their members. Furthermore, anyone who insults a protected group or a member of this group because of his or her belonging to the group may be liable to prosecution. The protected group of people includes (socially constructed) groups as well as individual members of such groups that are defined according to the presence or absence of certain criteria. With regard to racist incidents, this includes people or groups of people defined by the (ascribed or actual) presence or absence of the criteria of skin colour, language, religion, nationality, descent and national or ethnic origin.

REFERRAL SYSTEM (VERWEISSYSTEM)

The referral system refers to the cooperation of various contact points that offer support to those affected by offences motivated by prejudice. These contact points refer their clients to the relevant specialised agencies in order to enable them to access victim-centred and target group-specific support services. Such a system helps those affected avoid repeating the experience and consequently becoming retraumatised.

OMBUDS OFFICE

The Ombuds Office is a national human rights institution that has the task of investigating suspected maladministration. These abuses can also include the incorrect implementation of human rights requirements. It can make concrete recommendations to administrative authorities to correct these errors or redress their negative effects.

→ volksanwaltschaft.gv.at

VIENNA ANTI-DISCRIMINATION ACT
(WIENER ANTIDISKRIMINIERUNGSGESETZ)

The Vienna Anti-Discrimination Act prohibits discrimination against people by civil servants and by contract staff of the city of Vienna on the grounds of ethnicity, religious beliefs, world view, a disability, age, sexual orientation, gender identity and gender, and on the grounds of pregnancy or parenthood in particular. The scope of this law includes certain areas of the sovereign administration and the administration delegated to the private sector (e.g. social affairs, health, education) of the state and the city of Vienna, insofar as the cases fall within the regulatory competence of the state.

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When we take a look back on 2023 – with all its challenges – we also recognise that there's a lot we're thankful for.

A special thank you to:



… all guest authors and interview partners
You have deeply enriched the 2023 Racism Report with your articles.



… all partners
You give us strength – and some of you have been with us for many years.



… all reporters
Only by becoming active can we document the extent of racism in Austria.



… all volunteers
You deserve – from the bottom of our hearts – our greatest appreciation.



… all ZARA supporting partners and donors
You significantly support our work and make it possible for victims of racism to be able to continue to receive free support and counselling.

Anti-racism work is, and remains, challenging work, where there is always more that can be done, and where we can only ever tackle a fraction of the work due to a lack of resources.

All the more important, then, that we actively stand together against racism and forge alliances!

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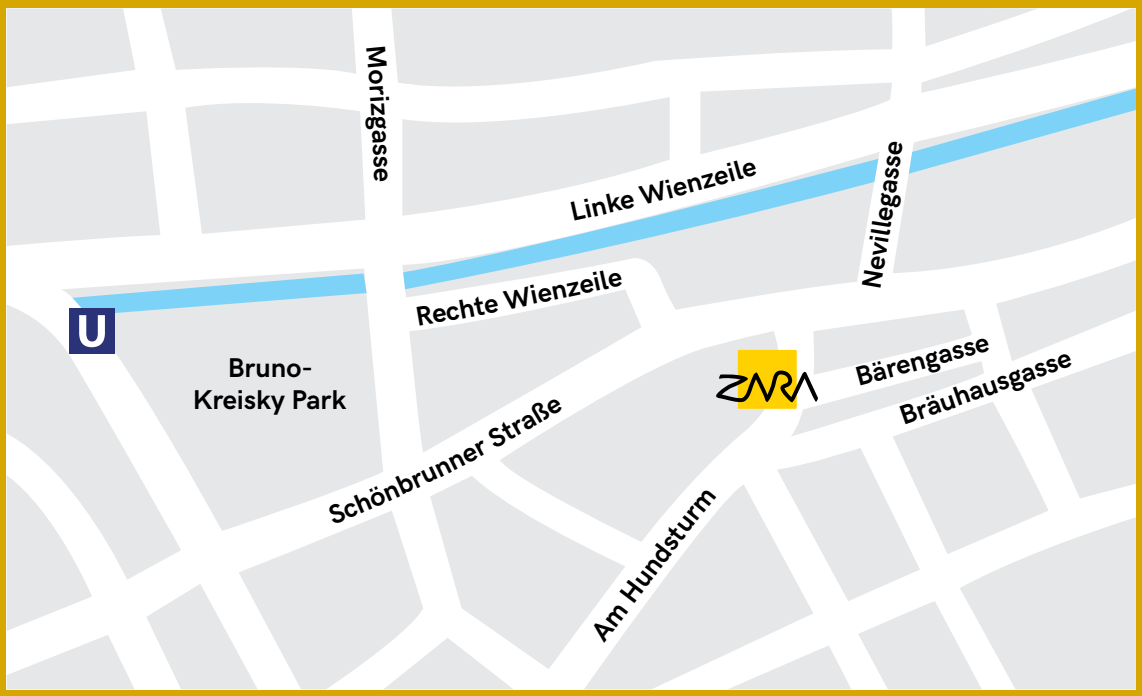
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The ZARA counselling team is available for appointments at:

Schönbrunner Straße 119/13
Entrance: Am Hundsturm 7
1050 Wien

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office@zara.or.at
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