

National Report Card on Government Measures to Counter Antisemitism and **Foster Jewish Life**

AUSTRIA





This report was funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020). The content of this report represents the views of the author only and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.













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ACKNOWLEDGEMENTS

The NOA Project would like to acknowledge and extend gratitude to the team of researchers, experts, interviewees, and reviewers who contributed to this report. Special appreciation goes to the following:

Project Director:

Robin Sclafani, Director of CEJI – A Jewish Contribution to an Inclusive Europe

Senior Researcher:

Dr. Benjamin Grilj, Institute for Jewish History in Austria

Junior Researcher:

Florian Ribisch, Institute for Jewish History in Austria

Methodological Experts:

Marharyta Zhesko and Alexandra Licht

Academic Expert:

Dilwar Hussain, Assistant Professor, Centre for Trust, Peace and Social Relations, Coventry University

Funders

The NOA project is funded by European Union's Rights, Equality and Citizenship Programme (2014-2020)

Thank you also to Karen Weisblatt, Elizabeth Brahy, and Joslin Isaacson Riber from Weisblatt & Associés (www.weisblatt-associates.com) for their contributions in editing and designing this report.

ABOUT THE NOA PROJECT

NOA – Networks Overcoming Antisemitism offers a pioneering approach to tackling the problem of rising antisemitism in Europe. With its unique partnership of major Jewish networks, it benchmarks EU Member States' policies across areas and helps them to develop holistic national action plans to address and prevent antisemitism and foster Jewish life. For more information, see: www.noa-project.eu

ABOUT CEJI - LEAD PARTNER, NOA PROJECT

CEJI – A Jewish Contribution to an Inclusive Europe stands with people of all backgrounds to promote a Europe of diversity and respect. A Jewish voice at the European level, our activities include delivering diversity education and enhancing interfaith and intercultural dialogue while advocating in the EU against antisemitism and discrimination of all kinds. For more information, see: www.ceii.org

NOA PARTNERS

Association for the Preservation of Jewish Heritage and Culture

B'nai B'rith Europe

European Union of Jewish Students

European Union of Progressive Judaism

World Jewish Congress

FOREWORD FROM THE EUROPEAN COMMISSION COORDINATOR ON COMBATING ANTISEMITISM AND FOSTERING JEWISH LIFE

We at the European Commission are proud to support the NOA-Networks Overcoming Antisemitism project, a unique partnership of six European Jewish organisations that came together in 2019 with the aim of supporting holistic policy and practice to overcome antisemitism and foster Jewish life. Its pragmatic approach pairs security, education, and support for Jewish life with preventive and interventive measures at transnational and national levels. The NOA partners bring complementary expertise, tools, and engagement techniques, drawing on hundreds of affiliate members as well as their own networks. Their vision is to advance an inclusive and democratic Europe where Jewish communities thrive.

The NOA project echoes and contributes to the European Commission's objectives to end antisemitism and foster Jewish life, as specified in its first-ever EU Strategy on the topic, presented on October 5, 2021.

NOA's long-term goals include mapping efforts to combat antisemitism; equipping educators with training and teaching tools; diffusing positive narratives through socio-cultural educational activities; garnering commitments from sporting authorities to ensure the creation of inclusive environments; and evaluating impact to improve and sustain the project's activities over time.

This Austrian National Report Card is the fourth in a series and provides a nuanced snapshot of the current policy landscape in the selected areas and highlights the existing gaps as well as opportunities for further responses, which will no doubt evolve over time.

It is our hope that this benchmarking tool will aid in the development and implementation of National Action Plans to counter antisemitism.

I would like to thank the partners and stakeholders who contributed to this report for their openness, expertise, and valuable contributions. I am confident that it is an important step along the journey to countering antisemitism and fostering healthy and dynamic Jewish life.

Europe celebrates its diversity. Europe thrives when its Jewish communities thrive.

Katharina von Schnurbein

le Celi

European Commission Coordinator on Combating Antisemitism and Fostering Jewish Life

A NOTE FROM THE PRESIDENT OF CEJI – A JEWISH CONTRIBUTION TO AN INCLUSIVE EUROPE

For the past thirty years, CEJI has stood with individuals and organisations of diverse religions, cultures and backgrounds to promote an inclusive and democratic Europe. Our activities, including training, education, dialogue and advocacy, are based on a human rights framework that has guided intergovernmental institutions since the mid-20th Century. This framework was established by the United Nations, affirmed by the Council of Europe and the Organisation for the Security and Cooperation in Europe (OSCE), reinforced and enforced by the European Union, and transposed into national law by all EU Member States as a guarantor of Jewish life present and future.

Every European Union country has its own unique story of Jewish life, dating back to ancient Greece and the Roman Empire and continuing through centuries that saw the emergence of Christianity, colonisation and development of the nation-state and democracy. The Jewish diaspora moved across the continent through waves of persecution from the Inquisition to the pogroms of the Middle Ages and the 19th Century and, in the still living memory of some, the Holocaust.

Despite periods of greater or lesser persecution, European Jewish communities have shown themselves to be resilient, capable of regeneration and integration. From craftspeople to merchants, artists and educators to philosophers and scientists, the history of Judaism in Europe is intertwined with the history of the region itself.

Today there are systems in place to monitor antisemitic attitudes, hate speech and hate crime, which is essential for responding to the warning signs of escalating anti-Jewish sentiment with measures of protection and prevention. The NOA project is doing something complementary but different and unique. We are monitoring what countries are doing to prevent antisemitism through their government institutions.

This research is a tool, perhaps not yet a perfect one, to help provide a realistic sense of the opportunities to strengthen policies and ensure governments are accountable to their international human rights commitments, reinforcing structural changes to break vicious cycles of hate. We hope that this policy-benchmarking mechanism will prove useful not only for preventing and addressing antisemitism but also in developing national action plans against racism and all other forms of discrimination as a flourishing life for marginalised communities is an indicator of safety and freedom for all.

We would like to thank our partners from across Europe: the European Association for the Preservation and Promotion of Jewish Culture and Heritage (AEPJ), B'nai B'rith Europe (BBE), the European Union of Jewish Students (EUJS), the European Union for Progressive Judaism (EUPJ), and the World Jewish Congress (WJC), in collaboration with their local affiliates and networks.

We express our great appreciation for the trust and support we have received from the European Commission for this work, which is a natural extension of the multiple initiatives taken by the European Union on antisemitism and racism in recent years.

Alain Philippson

President, CEJI

EXECUTIVE SUMMARY

The NOA-Networks Overcoming Antisemitism project, launched in 2019, is an innovative effort to develop new public-civil society partnerships and enhance collaboration within the nongovernmental sector to support the European Council's Declarations on fighting antisemitism and fostering Jewish life on the continent.¹ This report showcases the current policy landscape in 10 areas: culture, education, hate crime, hate speech, Holocaust remembrance, intercultural dialogue, media, religious freedom, security, and sport. The research shows that the Austrian government has made large strides in the fight against antisemitism, including presenting a National Strategy,² treating it as a cross-cutting issue coordinated by a central staff unit in the Federal Chancellery, introducing and/or intensifying laws, and monitoring progress with an annual Implementation Report on the National Strategy.³ Nonetheless, the numbers of antisemitic incidents continue to rise from year to year.4 Considering that many of these institutionalised efforts are fairly recent, the country now has an excellent opportunity to begin impact evaluation processes to track and understand their full effects.

KEY FINDINGS

- Austria scores the best in the areas of religious freedom and Holocaust remembrance. Both areas are built on a solid legislative basis with long-standing and well-developed implementation mechanisms.
- 2. The policy areas that score the lowest are media and sport, two areas driven by the private sector and not mentioned directly in the National Strategy against Antisemitism.
- ¹ See: https://www.consilium.europa.eu/en/press/press-releases/2018/12/06/fight-against-antisemitism-council-declaration/, and https://www.consilium.europa.eu/en/press/press-releases/2020/12/02/antisemitism-council-declaration-on-fighting-antisemitism/
- ² See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf
- ³ Implementation Report 2022 on Austria's National Strategy against Antisemitism, see: https://www.bundeskanzleramt.gv.at/dam/jcr:2dc8734f-ad56-462c-b051-51d8870bb85d/220601_NAS-Umsetzungsbericht_Summary_EN_BE.pdf
- ⁴ See: <u>https://www.antisemitismus-meldestelle.at/berichte</u>

- These results represent an opportunity to strengthen prevention measures.
- 3. The Austrian government has put into place a strong legislative and policy framework informed by international standards. The country is well poised to respond to new implementation challenges moving forward.
- 4. High scores were achieved in areas in which civil society has been more active.

RECOMMENDATIONS FOR AUSTRIAN POLICY MAKERS

- Fund "action research" and set up evaluation mechanisms to assess the impact of programmes and government measures so that these can be strategically strengthened in the years to come.
- 2. Develop training strategies across the policy areas to ensure consistent and holistic implementation of government measures.
- 3. Expand research projects on topics of Jewish transnational and regional history and culture, Holocaust and antisemitism through support to approved partners.
- 4. Implement incident reporting and response systems at universities and schools.
- 5. Provide financial and human resources to ensure the sustainable implementation of these general measures as well as specific measures in the above-mentioned policy areas.

CONCLUSION

Austria has made great advancements in recent years in formulating national policies and encouraging concerted, coordinated European efforts to prevent, address, and eradicate antisemitism. By ensuring successful implementation and evaluation of the policies put into place, as well as piloting and modelling effective good practice, a clearer path to a more inclusive and democratic Europe can be opened.

⁵ Action research is a philosophy and methodology of research which seeks transformative change through the simultaneous process of taking action and doing research, which are linked together by critical reflection.

INTRODUCTION

The NOA-Networks Overcoming Antisemitism project is an effort to innovate and develop new public-civil society partnerships and enhance collaboration within the nongovernmental sector. Backed by European Union funding,6 consortium of six European organisations came together to develop concrete and effective initiatives to combat antisemitism. NOA developed a series of work streams that range from creating training and teaching tools to developing socio-cultural activities to promoting inclusion in sport. The project takes a holistic approach that marries policy and practice, security and education, and transnational and national actions.

This is the fourth publication in a series of five NOA National Report Cards⁷ which support the European Council's Declarations on the fight against antisemitism.8 Through these Declarations, EU Member States committed to mainstreaming the prevention and countering of antisemitism in all its forms across policy areas, recognising that antisemitism is a pan-European challenge. Further, they make clear the need to engage in policy formation at local, national, and European levels. An initial Declaration was published in 2018, revised and refined in 2020, and confirmed again in March 2022,9 at which time a slightly broader scope was approved to include "countering antisemitism and fostering Jewish life" in order to create a diverse and inclusive Europe where Jewish communities thrive.

The National Report Cards have been created to serve as a benchmarking tool to aid in the development and implementation of National Action Plans to counter antisemitism in Member States. They take the measure of how

well European countries are doing compared to the goals set by the Declarations. This Austrian National Report card reflects a multi-year project of stakeholder engagement to achieve the highest standard of research to evaluate the level of governmental compliance. This report should therefore assist Austria in developing and implementing new policies by highlighting current strengths and weaknesses. In addition, the research provides a wealth of socio-cultural educational resources that will contribute to combatting antisemitism.

Nine areas of life are included in the Council Declarations and serve as the basis for NOA's scoring process. The research team added an additional area, "religious freedom," because some partners felt this has a direct bearing on Jewish communities' ability to thrive. The ten policy areas that the researchers assessed are: culture, education, hate crime, hate speech, Holocaust remembrance, intercultural dialogue, media, religious freedom, security, and sport. In addition, other policy areas are touched upon within these ten areas, such as youth, discrimination, and integration policies; they each merit further attention in possible future iterations of this monitoring tool.

As this report's main focus is the state's role and obligations, measures taken by civil society organisations (CSOs) and local communities are mentioned only in as much as they are relevant to the state's role. Further, researchers primarily examined the existence of state policies and practices and did not undertake a qualitative assessment of their measurable impact.

This brief report does not include the full scope of evidence gathered to inform the researcher's assessments of the key indicators. A detailed description of evidence is available upon request through the NOA website contact form.¹¹

⁶ The project was funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020).

 $^{^{7}\,\}mathrm{The}$ other countries in this project are Belgium, Hungary, Netherlands and Italy.

⁸ See: https://www.consilium.europa.eu/en/press/press-releas-es/2018/12/06/fight-against-antisemitism-council-declaration/ and https://www.consilium.europa.eu/en/press/press-releases/2020/12/02/antisemitism-council-declaration-on-fighting-antisemitism/

⁹ See: https://www.consilium.europa.eu/en/press/press-releases/2022/03/04/council-adopts-conclusions-on-combating-racism-and-antisemitism/

 $^{^{10}\,\}mbox{The EU}$ cannot take a position on this topic because it is a national competence.

¹¹ See: https://www.noa-project.eu/report-cards/

METHODOLOGY

The 2018 Council Declaration on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions in Europe was the starting point for the development of NOA's research methodology. 12 The Declaration briefly mentions its expectations in multiple policy areas. Building on this, the NOA project partners—each expert in their field—explored how these broadly-worded directives could translate into measurable indicators. First, existing standards were compiled in order to set up a framework for assessment. Then a scoring system was developed to evaluate the key indicators. NOA's lead researchers gathered information to support these assessments through several methods. These included desk research, interviews, and focus groups to gain a holistic picture of the national policy landscape as they relate to the established indicators.

This project is a first foray into establishing a new set of European benchmarking norms, and every effort has been made to respect the highest ethical standards in this research. The researchers endeavoured to avoid bias in the design, data analysis, data interpretation, and other aspects of this research and honestly report results based on the available evidence. While some risk of subjectivity remains in the interpretation of results, it is important to remember that the purpose of this Report Card is to provide a snapshot of the current policy landscape in order to strengthen government measures to prevent and counter antisemitism going forward.

NOA Standards inform the roles and responsibilities of national governments. They are based on international norms established through regulations, directives, resolutions and other documents adopted by intergovernmental organisations such as European Union institutions, the Council of Europe, the OSCE, and UNESCO.

NOA Indicators are markers of relevant policies and practices related to the fight against antisemitism. Thematic experts crafted key monitoring questions to measure the presence or absence of such policies in various areas.

The NOA Scoring System was developed to offer an easy-to-understand numerical representation of the current state of affairs in each policy area. Thematic experts assigned a maximum value to the key indicators, then the researchers assigned a percentage score measuring how well the policies and practices in place corresponded to each, based on the information available. The scoring system is designed to:

- Enable users to easily identify existing gaps and policy areas that require significant attention from state actors
- Provide benchmarks to compare future development of policies

Assessments were made according to the experience and knowledge of the researchers in the field. In order to ensure depth and nuance, a multi-faceted approach to the final scoring was undertaken, including:

- Interviews with both government and civil society representatives
- A stakeholder workshop with key government and civil society representatives who reviewed a detailed description of the evidence justifying the assigned scores and discussed and validated the overarching results

¹² For further information on the standards, indicators and scoring system, see: https://www.noa-project.eu/report-cards/

METHODOLOGY





STEP 1 Creation of NOA Project Partnership

NOA project partnership is created with Jewish experts and representatives to provide guidance on the topics, issues and needs to be addressed.

The 10 policy areas to be researched are determined.

2



STEP 2 Creation of Indicators

Key research questions are developed for each policy area which are then translated into indicators, based upon existing international standards.

For each of the 10 areas, multiple indicators are assigned, with input from thematic experts for transnational consistency and sustainability.

3



STEP 3 Collection & Analysis

Policy documents, legislation, national publications, and guidelines are collected and analysed.

4



STEP 4 Input & Interviews

To provide context and additional input, **26** people are consulted, including:

15 government representatives

4 community representatives

4 civil society organisation representatives

3 academics





STEP 5 Scoring

Initial scoring of indicators is undertaken by the research team, given in percentages. Scoring system is developed to:

- ▶ compare national policies and practices with established standards
- enable overview for each policy area providing for future benchmarking
- ▶ assess each policy area to identify existing gaps and create points of reference





STEP 6 Validation

Consultation phase/stakeholder workshop:

► a select group of representatives from civil society and public authorities give feedback and validate scoring





STEP 7 Dissemination

National public events are organised to discuss findings, share good practices and provide policy recommendations.

European conference 2023

AUSTRIA: BACKGROUND AND CONTEXT

GOVERNMENT STRUCTURE

Austria is a federal parliamentary republic based on the principles of democracy and the separation of powers. It consists of nine federal states, with a President who serves as head of state while the Chancellor, who is appointed by the President, serves as head of the government. Federal legislative power is vested in the federal government and the two chambers of Parliament: the National Council (Nationalrat) and the Federal Council (Bundesrat). The National Council has 183 members, elected for a five-year term by proportional representation, while the Federal Council comprises 62 members selected by the state legislatures.¹³ The Judiciary is independent of the executive and legislative branches.

The constitutional foundations of the republic are formed by the Federal Constitution; the State Treaty (which regulates the post-WWII restoration of an independent, free and democratic Austria as well as the recognition of Austria's independence from and by Germany and came into effect on July 27, 1955);14 the Neutrality Law (which regulates the perpetual neutrality of Austria and states that Austria will not join any military alliances in the future and will not permit the establishment of military bases by foreign states on its territory and came into effect on October 26, 1955);15 and the EU Accession Act (Austria has been a member of the European Union since January 1, 1995).¹⁶ The federal government is responsible for matters affecting the entire nation, such as police and security, national defence, and educational and socio-economic policy. Its members, including the Chancellor, Vice-Chancellor and Ministers, are appointed. At the beginning of its term of office, the government presents the programme that it intends to implement. For most of these measures, the government needs legislative approval and therefore is dependent on cooperation with the National Council and the Federal Council.¹⁷

Concerning issues and laws relating to antisemitism, the Federal Chancellery and the Federal Ministries of Interior, Defence, Justice, the Federal Ministry for Education, Science and Research, the Federal Ministry for Arts, Culture, Civil Service and Sport as well as the Federal Ministry for European and International Affairs, work together in cooperation with the Jewish communities and relevant Civil Society Organisations (CSOs). In 2021, the government presented a comprehensive strategy to prevent and combat all forms of antisemitism, 18 contributing to the reinforcement and protection of democratic values and fundamental rights in Europe. The strategy includes goals for various areas, including education and training, research, security, justice, integration, and civil society.

AUSTRIAN JEWISH COMMUNITIES

Jews have been present in what is now Austria for at least one thousand years.¹⁹ For a substantial portion of this time, Austria was under Habsburg rule and the history of Jews in these lands is intertwined with that of the empire. Despite this long presence, Jewish communities experienced three significant waves of expulsions and exterminations, in 1420-21, in 1670 and in 1938.²⁰ Judaism has been recognised legally since the Israelite

¹³The power of the Federal Council is rather limited. In most cases it has only a suspensive veto, which can be overruled by the National Council. For more information, see: https://en.wikipedia.org/wiki/Politics_of_Austria#Head_of_State

¹⁴See: <u>https://www.ris.bka.gv.at/Dokumente/</u> <u>BgblPdf/1955_152_0/1955_152_0.pdf</u>

¹⁵ See: https://www.ris.bka.gv.at/GeltendeFassung. wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000267

¹⁶ See: https://www.bmeia.gv.at/en/european-foreign-policy/european-policy/austria-in-the-eu/

 $^{^{17}}$ For more information see: $\underline{\text{https://www.parlament.gv.at/verstehen/politisches-system/bundesregierung/}}$

¹⁸ See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

¹⁹ The first Jew mentioned by name in a document was Schlom, the mint master for the Babenberg Duke Leopold V, in 1194. For more information see: https://www.geschichtewiki.wien.gv.at/Juden and https://religion.orf.at/v3/lexikon/stories/2628989/

²⁰ See: https://www.geschichtewiki.wien.gv.at/Juden and https://religion.orf.at/v3/lexikon/stories/2628989/

Law of 1890,²¹ which created the possibility of constituting state-recognised religious communities²² and obliged members to pay religious taxes. Due to this law, the founding and consolidation of new communities increased significantly between 1890 and 1898.²³

Prior to 1938, 190 000 Jews were living in Austria, roughly 3 per cent of the population. There were 34 Jewish communities and an estimated 440 synagogues, prayer houses, organisations, clubs, and associations throughout the country. The largest community was in Vienna, where Jews comprised 10 per cent of the population. In that city alone, in addition to 22 synagogues and 50 prayer houses, there was a Jewish Museum, Jewish libraries, schools, hospitals and medical clinics, orphanages, sports clubs, Yiddish theatres, kosher kitchens, Zionist organisations, political associations, newspapers and charitable foundations.²⁴ Despite being a minority, Jews contributed significantly to the fields of science, medicine, philosophy, literature and art, as well as in economics and social sciences. Many Viennese pioneers and luminaries were Jewish, including Sigmund Freud, Viktor E. Frankl, Alfred Adler, Gustav Mahler, Arnold Schoenberg, Ludwig Wittgenstein, Stefan Zweig and Arthur Schnitzler.

However, after the National Socialists rose to power in Austria in March 1938, virulent antisemitism led to the flight, persecution, deportation and mass murder of almost the entire Jewish population. As a result, after World War II, only 2 000 to 5 000 Jews remained.²⁵ Today, approximately 10 000 to 20 000 Jews live in the country,²⁶ the vast majority of them in Vienna, which remains by far the largest and most influential community. The Jewish Community Organisation of Vienna (Israelitische Kultusgemeinde Wien - IKG Wien)²⁷ handles religious Jewish community matters, including social, religious educational issues, for most federal states.²⁸ The considerably smaller Jewish communities of Innsbruck,²⁹ Linz³⁰ and Salzburg³¹ have their own organisations to manage these.³² Today, there are several Jewish schools, an institute for Jewish studies at Vienna University, an Institute for the History of Jews in Austria, Jewish sports clubs and Austrian branches of leading Jewish organisations, such as B'nai B'rith and WIZO. Most of these institutions are located in Vienna. The Viennese community also operates a home for the elderly with an intensive care unit.³³

In 2021, the Federal Act on the Protection of the Austrian-Jewish Cultural Heritage (ÖJKG) was introduced. The law covers "Austrian-Jewish tangible and intangible heritage"34 and provides an annual grant of four million euros.35 IKG Wien administers the grant for the protection of Jewish institutions; the preservation and maintenance of the common future-oriented Austrian-Jewish tangible and intangible cultural heritage; the maintenance of Jewish community life and its structure in Austria; dialogue between religions; the promotion of projects with and for the benefit of the younger generation; and the promotion of initiatives of social exchange and cohesion.³⁶

²¹ BGBI. I Nr. 166/2020, see: https://www.ris.bka.gv.at/eli/ bgbl/I/2020/166

²² See: https://www.parlament.gv.at/gegenstand/XXIV/ ME/199?selectedStage=100

²³ See: http://www.juden-in-st-poelten.at/de/juedische-gemeinde/

²⁴ See: https://www.claimscon.org/our-work/negotiations/austria/ history-of-the-austrian-jewish-community/

²⁵ See: https://hiko.univie.ac.at/PDF/01.pdf

 $^{^{26}}$ Numbers vary according to the standards used. See: $\underline{\text{https://}}$ eurojewcong.org/news/communities-news/austria/new-demographicstudy-of-austrian-jewry/ and https://www.derstandard.at/ story/2035902/oesterreich-ist-anders

²⁷ See: https://www.ikg-wien.at/

 $^{^{\}rm 28}$ IKG Wien is responsible for the Federal States of Vienna, Lower Austria and northern Burgenland, and since the merger with the IKG Graz in 2013, for Styria, Carinthia and southern Burgenland as well.

²⁹ See: https://www.ikg-innsbruck.at/

³⁰ See: https://www.ikg-linz.at/

³¹ See: https://ikg-salzburg.at/

³² They represent communities in the western Federal States of Vorarlberg and Tyrol as well as Upper Austria and Salzburg.

³³ For more information, see: <u>https://eurojewcong.org/communities/</u> austria/

 $^{^{34}\,\}mathrm{As}$ the law is relatively new, it is not yet clear what forms tangible and intangible heritage may take. Currently, efforts include providing information about the Jewish cultural heritage and history for the non-Jewish population and promoting the members of Austria's Jewish religious community through joint events, informational evenings and other initiatives. See: Österreichisch-jüdisches Kulturerbegesetz, BGBI. No. 39/2021. https://www.ris.bka.gv.at/GeltendeFassung. wxe?Abfrage=Bundesnormen&Gesetzesnummer=20011500

 $^{^{35}\,\}mathrm{The}\,\ddot{\mathrm{O}}\mathrm{JKG}$ also retroactively provided five million euros of funding for 2020.

 $^{^{36}\,\}mathrm{This}$ annual grant is for all Jewish communities and is administered by IKG Wien. C.f. Österreichisch-jüdisches Kulturerbegesetz, BGBI. No. 39/2021. https://www.ris.bka.gv.at/GeltendeFassung. wxe?Abfrage=Bundesnormen&Gesetzesnummer=20011500

OVERVIEW OF ANTISEMITISM

From the Anschluss in 1938—when Austria was incorporated into the greater German empire through 1945, the country collaborated willingly with the Third Reich. As a result, Austria has a special mandate in the fight against antisemitism. A law banning National Socialist activities, the Verbotsgesetz 1947 (Prohibition Act of 1947), has long been a part of Austria's post-war legacy,³⁷ yet the country did not begin to fully examine its role in the Holocaust until the mid-1980s.³⁸ Indeed, in the post-war years, the country often viewed itself as "Hitler's first victim"³⁹ rather than facing up to its complicity. 1986 marked a significant turning point concerning government acknowledgement of culpability due to Kurt Waldheim's candidacy for the federal presidency. Waldheim, a former UN General Secretary, was accused of engaging in war crimes. Although he denied being part of the SA (the paramilitary wing of the National Socialist German Workers' Party) or possessing knowledge of the atrocities committed against Jews and other minority communities, the controversy surrounding his past led to muchneeded discussions about the participation and responsibility of Austria within the Nazi regime. Five years later, in 1991, Federal Chancellor Franz Vranitzky was the first high-ranked Austrian politician to publicly admit societal guilt and "a share in the responsibility for the suffering imposed on other people and peoples, not by Austria as a state, but nonetheless by citizens of this country."40

On the legislative level, changes were not significantly implemented until much later. Paradoxically, most initiatives in the fight against antisemitism were introduced when the far-right Freedom Party of Austria (*Freiheitliche Partei Österreich* – FPÖ) sat in government as the junior partner of the Austrian People's Party (*Österreichische Volkspartei* – ÖVP), from December 2017 to May 2019. During this period, there were almost weekly incidents of National Socialist reaffirmation, racist statements, and a move towards extremism

at almost all levels of the FPÖ.41 As a coalition partner, the ÖVP did not want to be associated with this activity and became much more involved in the fight against antisemitism, both nationally and internationally. This became particularly clear during Austria's EU Council Presidency in the second half of 2018,42 which saw the introduction of a Council declaration on combating antisemitism, followed by the Commission setting up a working group to support the Member States in implementing the EU Council declaration of 6 December 2018 (now the European Commission Working Group on the implementation of the EU Strategy on combating antisemitism and fostering Jewish life).⁴³ Subsequently, the Austrian National Strategy against Antisemitism was presented in 2021 to prevent and combat all forms of antisemitism.44

Yet despite these advancements, enforcement of antidiscrimination laws and governmental commitment to recognising historical injustices is sometimes lacking. A notable example is when a speaker at an infamous Ulrichsberg meeting, the largest European annual gathering of SS veterans, was put in charge of a regional office for the protection of the Constitution and the fight against terrorism.⁴⁵

Eighty years after the Anschluss and the November pogroms of 1938, antisemitism remains a problem in Austria and Europe. 46 The Covid-19 epidemic acted as a catalyst for conspiracy theories and heralded a rise in antisemitic incidents, which peaked in 2021. 47 While the numbers have declined for the first half of 2022, they remain at a very high level 48 and signal that Austria's fight against antisemitism is far from over.

³⁷ Verbotsgesetz, BGBI Nr. 148/1992. https://www.ris.bka.gv.at/ Dokumente/BgblPdf/1992_148_0/1992_148_0.pdf

³⁸ C.f. Botz Gerhard, 'Lebenslüge' und nationale Identität im heutigen Österreich: Nationsbildung auf Kosten einer vertieften Aufarbeitung der NS-vergangenheit, in: History of European Ideas 1992/15, p. 85-91.

³⁹ See: https://hdgoe.at/victim_thesis_en

⁴⁰ See: https://hdgoe.at/victim_thesis_en

⁴¹ C.g. Schiedel Heribert, Die FPÖ und der Antisemitismus. Ein lange verdrängter Aspekt, see: https://www.doew.at/cms/download/dhm5v/schiedel-fpoe.pdf

 $^{^{42}}$ See: $\underline{\text{https://www.consilium.europa.eu/media/56242/2018-jul-dec-at-results-en.pdf}}$

⁴³ See: https://www.bundeskanzleramt.gv.at/dam/jcr:8bd2975f-0483-4e74-abd9-d66446195d7c/antisemitismusstrategie.pdf

⁴⁴ See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

⁴⁵ See: https://www.tt.com/artikel/30812894/rechtsextremismus-vorwurf-kaerntner-lvt-leiter-tauschitz-muss-gehen

 $^{^{46}\,\}text{See}$: https://www.bmbwf.gv.at/en/Topics/euint/ep/antisemitism. html

⁴⁷ See: https://youtu.be/c55qE2hK3bM

⁴⁸ See: https://www.antisemitismus-meldestelle.at/berichte

NATIONAL STRATEGY AGAINST ANTISEMITISM (NAS)49

Strategy of the Republic of Austria to prevent and combat all forms of antisemitism January 2021

The Republic of Austria has developed the following strategy with the aims of securing the continued long-term existence of Jewish life in Austria, curbing antisemitism in all its forms and creating an awareness which recognises antisemitism in everyday life.

The following strategic pillars and objectives are crucial to achieve these aims:

- Education, training and research:
 Implementation and financing of theme based scientific and artistic research projects, continuing professional development of teachers and educationalists, together with expansion of training opportunities, especially in out-of-school settings.
- 2. The security and protection of Jewish communities and institutions: Promotion of security measures to protect Jews and Jewish communities and institutions.
- **3. Effective law enforcement:** Ensuring the effective prosecution of antisemitism and the closure of legal loopholes.
- **4. General conditions in the area of integration:** Increased communication of and focus on the prevention of antisemitism in the area of integration.
- 5. Documentation and Europe-wide comparison of data: Harmonisation of documentation and Europe-wide data comparison in relation to cases of antisemitism and antisemitic offences.
- **6. Societal approach:** Ensuring society-wide action and exchange between state and private institutions with a view to preventing antisemitism in all its forms.

This comprehensive strategy to prevent and combat all forms of antisemitism is a contribution to the reinforcement and protection of democratic values and fundamental rights in Europe. The operational implementation of these measures is coordinated by the coordination unit (Task Force Austrian-Jewish Cultural Heritage) set up for this purpose in the Directorate General IV for EU, International and General Affairs of the Austrian Federal Chancellery.

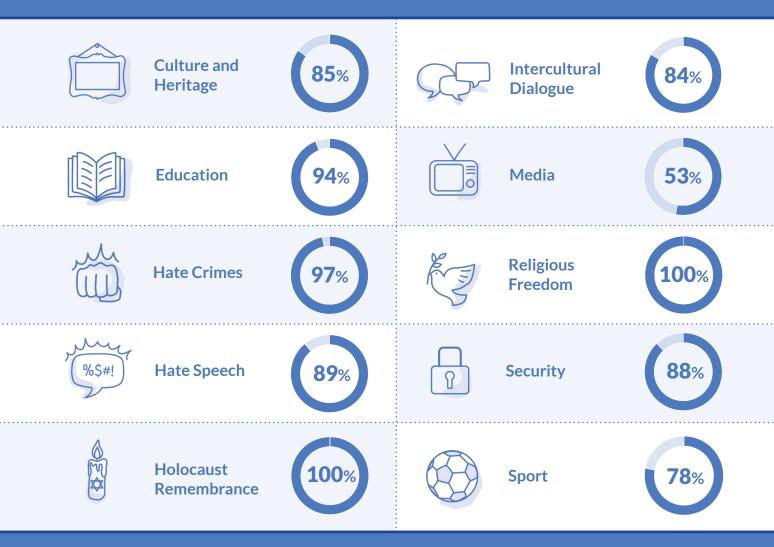
In order to coordinate the implementation of the NAS, a network of coordinators was established by the Federal Chancellery. Members of the network are representatives of the Federal Ministries responsible for the implementation of the 38 measures.

Since the presentation of the NAS in January 2021, 12 measures have been launched and 26 have already been fully implemented, among them the establishment of a platform (National Forum on Antisemitism) for ongoing coordination across society which aims to institutionalise discussions on current developments and present possible solutions regarding issues concerning antisemitism and Holocaust remembrance. Another important milestone was the creation of the European Conference on Antisemitism, which is a like-minded EU Member State group that first met in May 2022. It brings together Special Envoys and experts in the field of antisemitic hate crime recording from all over Europe. Their goal is to give and receive input regarding antisemitic hate crime recording, exchange best practices and raise awareness on the need to develop common methodologies when it comes to collecting and analysing data of antisemitic incidents.

On 31 January 2023, the Federal Minister for EU and Constitution at the Federal Chancellery presented the 2022 implementation report of the NAS.

 $^{^{49}} Austrian Federal Chancellery; Vienna, 2021, see: \underline{https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf$

AUSTRIA - ALL POLICY AREAS



KEY GENERAL POLICY RECOMMENDATIONS

- 1. Fund "action research" and set up evaluation mechanisms to assess the impact of programmes and government measures so that these can be strategically strengthened in the years to come.
- 2. Develop training strategies across the policy areas to ensure consistent and holistic implementation of government measures.
- 3. Expand research projects on topics of Jewish transnational and regional history and culture, Holocaust and antisemitism through support to approved partners.
- 4. Implement incident reporting and response systems at universities and schools.
- 5. Provide financial and human resources to ensure the sustainable implementation of these general measures as well as specific measures in the above-mentioned policy areas.

BREAKDOWN OF POLICY AREAS



Culture and Heritage

OVERVIEW

Although there is no clear definition of Jewish heritage provided by the State, there is a Federal Law on the Protection of Austrian-Jewish Cultural Heritage, unanimously adopted by the National Council in 2021. The law provides an annual grant of four million euros for all Jewish communities⁵⁰ and covers the preservation, maintenance and promotion of "Austrian-Jewish tangible and intangible heritage". The law is expected to be modified in 2023, increasing the grant to seven million euros. Part of the law's purpose is to raise awareness of the enormously important and influential Jewish contributions to Austrian and European history in the fields of medicine, psychology, art, literature, and architecture, amongst others. In addition to this law, the country has entered into several international agreements, such as the Washington Agreement on the Protection of Jewish Cemeteries,⁵¹ a pact between the Austrian Federal Government and the Government of the United States of America

on "the Settlement of Questions Concerning Compensation and Restitution for Victims of National Socialism." This agreement financially supports the restoration and upkeep of Jewish cemeteries in Austria.⁵²

In terms of culture, the country has three Jewish museums, all of which are co-financed by the public sector, and there are a number of organisations that develop cultural programmes enable a better understanding and appreciation of the Jewish experience. Almost all of these grew out of private initiatives and are now at least partially funded with public money. Examples include the Festival of Jewish Culture,⁵³ the art and culture podcast Chuzpe,⁵⁴ the Jura Soyfer Society,55 the association Never Forget - Association for the Promotion of Holocaust Memorials,56 and the initiative Stones of Remembrance.⁵⁷ The Federal Ministry of the Interior (BMI) also makes contributions to promoting Jewish culture and heritage with exhibitions and initiatives on contemporary history.⁵⁸ Examples include the 2018 conference

⁵⁰This grant is administered by IKG Wien. Österreichisch-jüdisches Kulturerbegesetz, BGBI. No. 39/2021. See: https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnum-mer=20011500

⁵¹Abkommen zwischen der Österreichischen Bundesregierung und der Regierung der Vereinigten Staaten von Amerika zur Regelung von Fragen der Entschädigung und Restitution für Opfer des Nationalsozialismus, BGBI. III Nr. 121/2001. See: https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20001396

 $^{^{52}\,\}mathsf{See:}\,\underline{\mathsf{https://www.friedhofsfonds.org/washington-agreement}}$

⁵³ See: https://www.ikg-wi en.at/en/festival-of-jewish-culture

⁵⁴ See: <u>https://www.ikg-wien.at/en/podcast-chuzpe-en</u>

⁵⁵ See: <u>https://www.soyfer.at/en/</u>

⁵⁶ See: https://www.niemalsvergessen.at/

⁵⁷ See: <u>https://steinedererinnerung.net/en/current-events/</u>

⁵⁸ National strategy against antisemitism, p. 100. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

"European Values – Rule of Law – Security" (Europäische Werte – Rechtsstaat – Sicherheit) or the 2017 exhibition "Resistance – Rule of Law – Human Rights" (Widerstand – Rechtsstaat – Menschenrechte).⁵⁹

ASSESSMENT OF KEY INDICATORS

- 1. Preservation of Jewish Heritage: The Federal Monuments Authority Austria (Bundesdenkmalamt - BDA) is responsible for the preservation of Austria's material cultural heritage, including Jewish heritage.⁶⁰ It oversees the preservation of monuments, for example, in keeping with the regulations and directives of the European Union, the relevant international conventions and all other legal provisions.⁶¹ There are regular exchanges between the **BDA** and Jewish Community Organisations (IKGs). In addition, a number of buildings and areas are under special protection due to their significance to the Holocaust (e.g., the former Mauthausen concentration camp).62
- 2. Promotion of Jewish Culture: Numerous projects exist at the federal, state or municipal level to promote Jewish culture. Frequently based on private initiatives, they are subsequently co-financed by governmental and private sources. Projects range from city walks⁶³ to digitisation projects⁶⁴ to historical research involving the public.⁶⁵ Further, there are Jewish community initiatives, such as LIKRAT,⁶⁶ aimed at young people which transmit Jewish history, tradition and culture in addition to developing activities to counteract antisemitism. While Jewish culture is more accessible in Vienna due

to the presence of active communities, the promotion of Jewish culture is also a resource in other areas of the country where there is little if any direct contact with the Jewish community.

- 3. Promotion of Jewish Heritage: A number of individual projects are financed by the public sector. For example, the Federal State of Lower Austria is providing 4.6 million euros for the renovation of the former synagogue of St. Poelten.⁶⁷ Austria participates in the Council of Europe's cultural routes programme, including the European Route of Jewish Heritage.⁶⁸ In addition, digital projects, like the Book of Remembrance for the Jewish Community of St. Poelten,⁶⁹ are financed by public funds.
- 4. Recognition of Jewish Culture: At the federal, provincial, and municipal levels, Jewish culture is presented as part of Austria's tangible and intangible heritage. This approach extends to cultural institutions and events, such as the Jewish Museum Vienna, 70 the Jewish Film Festival Vienna, 71 and the KlezMore music festival, 72 amongst others.

- 1. Proactively invest in and promote Jewish culture and heritage rather than relying on CSOs to initiate and co-fund projects.
- 2. Consider highlighting the mutually beneficial exchange between Austrian traditions and Jewish life in the context of state efforts to increase awareness of Jewish contributions to culture.
- 3. Create and communicate a clear definition of Jewish heritage for guidance to policy implementors.
- 4. In addition to the 38 measures outlined in the National Strategy Implementation Report 2022,⁷³ formulate a special action plan for Jewish heritage.

⁵⁹ See: https://www.bmi.gv.at/magazinfiles/2017/05_06/files/sicherheitspolitisches%20dialogforum.pdf

⁶⁰ The BDA acts "in the public interest in the preservation of immovable and movable objects of historical, artistic or other cultural significance (monuments, cultural property) on the basis of the Monuments Protection Act Denkmalschutzgesetz, BGBI. I Nr. 92/2013. See: https://www.ris.bka.gv.at/Dokumente/Erv/ERV_1923_533/ERV_1923_533.html

⁶¹ Statute of the Federal Monuments Office, Vienna 2021, p. 4. See: https://www.bda.gv.at/service/rechtsvorschriften/statut.html

⁶² Gedenkstättengesetz, BGBI. I Nr. 56/2018. See: https://www.ris.bka.gv.at/eli/bgbl/l/2018/56

⁶³ See: https://www.wien.gv.at/spaziergang/juedisches-wien/

⁶⁴ See: https://www.vwi.ac.at/forschung/ehri-at

⁶⁵ One example is Top Citizen Science, an initiative which invites citizens to help research the forced resettlement of the Jewish population. For more information, see: https://bioeg.hypotheses.org/2103

⁶⁶ See: https://www.ikg-wien.at/Likrat

⁶⁷ See: https://www.st-poelten.at/news/presse/16220-ehemalige-synagoge-st-poelten-wird-als-kulturinstitution-neu-aufgestellt

⁶⁸ See: https://www.coe.int/en/web/cultural-routes/the-european-route-of-jewish-heritage

⁶⁹ See: http://www.juden-in-st-poelten.at/de/

⁷⁰ See: https://www.jmw.at

⁷¹ See: https://www.jfw.at

⁷²See: http://klezmore-vienna.at

⁷³ Implementation Report 2022 on Austria's National Strategy against Antisemitism, see: https://www.bundeskanzleramt.gv.at/dam/jcr:2d-c8734f-ad56-462c-b051-51d8870bb85d/220601 NAS-Umsetzungsbericht_Summary_EN_BF.pdf









Education

OVERVIEW

Jewish history is part of the curricula and presented in textbooks as an integral part of Austrian and European history.⁷⁴ Jewish inclusion and exclusion from society throughout different eras is addressed and significant policy measures have been introduced in the fields of education and youth engagement as part of the National Strategy against Antisemitism.

There are several Jewish educational institutions in Vienna reflecting the diversity of the community. These include the Talmud Torah Primary and Secondary School Machsike Hadass,⁷⁵ the Jewish religious cultural and educational club Ohel Mosche,⁷⁶ the Lauder Chabad School,⁷⁷ the Yehuda Halevi Music School,⁷⁸ and several daycares. IKG Wien⁷⁹ operates two educational institutions, the

Education is highly important in Austria's National Strategy against Antisemitism and the Agency for Education and Internationalisation (OeAD) programme ERINNERN:AT is crucial in these efforts.⁸⁴ This decentralised structure facilitates mutual learning and support with coordinators in each federal state who manage a network of teachers, educators and researchers. They provide teaching materials and learning tools as well as in-service teacher training. Teaching materials are customised

Zwi Perez Chajes School,⁸⁰ and the Jewish Vocational Training Centre (JBBZ).⁸¹ Part of IKG Wien's educational mandate is to offer all schoolchildren attending a public school in Vienna officially recognised Jewish religious education. This means that regardless of their educational institution, students can attend Jewish religious education classes.⁸² Religious education is funded by the Austrian Federal Ministry of Education, Science and Research. There is a compulsory ethics class for pupils who choose not to follow religious education.⁸³

⁷⁴ Within a package of curricula reform designed to meet modern-day challenges, antisemitism or Jewish history are either explicitly required or suggested as a topic as part of other related educational aims, see full proposed curriculum: https://www.paedagogik-paket.at/massnahmen/lehrplaene-neu.html

⁷⁵ See: <u>https://www.ikg-wien.at/schule/machsike-hadass</u>

⁷⁶ See: https://www.ikg-wien.at/rabbinat/synagogen/ohel-moshe

⁷⁷ See: https://lauderchabad.at/

⁷⁸ See: <u>https://www.jh-m.at/</u>

⁷⁹ See: <u>https://www.ikg-wien.at/en/schools-and-education</u>

⁸⁰ See: https://www.zpc.at/#

⁸¹ See: https://jbbz.at/english

⁸² See: https://www.ikg-wien.at/en/schools-and-education

⁸³ National Council decision of 20 November 2020, Federal Law Gazette I no. 133/2020, see: https://www.ris.bka.gv.at/eli/bgbl/l/2020/133

⁸⁴ See: https://oead.at/en/school/erinnernat

to meet regional needs and ERINNERN:AT further functions as an internal consultant for teachers on questions of Holocaust education and prevention of antisemitism. Expert groups are facilitated through the programme, such as for international comparative textbook analysis and other European projects.

The National Strategy includes numerous research components which aim to inform future educational policy, overseen by the Austrian Federal Ministry of Education, Science and Research. While it is not yet possible to have data on antisemitic incidents in schools, the Office of the School Ombudsman of the Austrian Federal Ministry of Education, Science and Research, which investigates complaints and attempts to resolve them, receives training on antisemitism. A new project is underway to strengthen recording and responses at the school level.

In September 2022, Martin Polaschek, the Austrian Federal Minister of Education, Science and Research, presented and adopted the landmark policy guidance publication, "Preventing Antisemitism through Education," which outlines a plan for the systemic changes needed to ensure appropriate educational responses at various levels to address antisemitism.

ASSESSMENT OF KEY INDICATORS

1. Civil Society Partnerships: CSOs are actively engaged in ERINNERN:AT activities as well as directly in schools. An important source of financing for partnership initiatives comes from the Ministry's "Prevention of Extremism Makes School" initiative. Schools and teachers can take advantage of the numerous CSO programmes available if they wish, such as those carried out by ZARA - Civil Courage

2. Classroom Teaching and Assessment:

Teaching materials must meet the methodological and pedagogical criteria for addressing antisemitism and Jewish studies. This includes incorporating aspects of diversity, inclusion, precise language and avoidance of generalisations or the perpetuation of stereotypes. Officially approved teaching materials are offered, yet teachers have the option to go beyond these (see Textbooks).

- 3. Curriculum: A basic decree on citizenship education underlines its role in dealing with antisemitism with clear guidance on the objectives and content to be covered.⁸⁸ Nazi persecution and extermination policy is also a compulsory topic. A new curriculum, which will include 18th and 19th-century Jewish history, will be introduced following Parliamentary approval.⁸⁹
- 4. Higher Education: The University Act provides for the protection of all minorities. Jewish students are not explicitly mentioned but are fully included. The IHRA definition of antisemitism is accepted by universities, as well as all educational institutions under the purview of the Federal Ministry of Education, Science and Research. As with schools, there is no data on antisemitic incidents.
- 5. Holocaust Education: Holocaust education is clearly defined in the curricula with objectives, content and in-service teacher training. ERINNERN:AT is the main website for Holocaust education in Austria, with a database of learning materials. In addition, the "Eyewitness" programme

and Antiracism Work,⁸⁷ that are co-funded by the government.

⁸⁵ Rosenfeld, Schmid-Heher and Wiegemann. Preventing Antisemitism through Education, August 2022. See: https://www.erinnern.at/media/ed8e10fdbdc1408eb5d3227f82ae658c/oead-e-at-strategiepapier-enfin.pdf/view

⁸⁶ On April 4, 2022, the initiative "Prevention of Extremism Makes School" was introduced to raise awareness among schoolchildren at all levels and types of the dangers of ideologies that promote inequality and to strengthen their resilience to radicalisation. The programme encourages reflection on questions of identity and coexistence in a pluralistic society, see: https://oead.at/de/schule/extremismuspraevention

⁸⁷ See: https://www.zara.or.at/de

 $^{^{88}}$ See: $\underline{\text{https://www.bmbwf.gv.at/Themen/schule/schulpraxis/uek/polit-bildung.html}}$

⁸⁹ The available content of the proposed curriculum reform package can be accessed here: https://www.paedagogikpaket.at/massnahmen/lehrplaene-neu.html. Parliamentary developments on the proposed curriculum can be found here: https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008568

⁹⁰ Universitätsgesetz, BGBI I. Nr. 177/2021, see: https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2021_I_177/BGBLA_2021_I_177.pdfsig

⁹¹ For example, see the Technical University of Vienna website: https://www.tuwien.at/tu-wien/aktuelles/news/news/arbeitsdefinition-von-antisemitismus

brings Holocaust survivors into Austrian classrooms, and videotaped testimonies of Holocaust survivors are easily accessible through learning apps and websites. 92 The Austrian Federal Ministry of Education, Science and Research funds school visits to former concentration camps (including Auschwitz) and has recently created a fund to increase these school visits.93 International Holocaust Remembrance Day on January 27th has been established by the Austrian parliament as the national day of remembrance, with teaching materials provided to schools. Another important memorial day is May 8, the day of the surrender of Nazi Germany (also known as the Festival of Jov).94

6. Incident Response: The Office of the School Ombudsman documents incidents, if reported, although it is still not possible to see data specific to antisemitism. The Office receives training on how to identify antisemitism and uses the IHRA working definition of antisemitism. Each pupil or parent can directly contact the Office for advice and legal support, which is easily reachable and remains in close contact with the Jewish community's antisemitism monitoring team.95 Non-school-based reporting channels are also available, such as the police and the Reporting Centre for Antisemitism. 96 Specific measures to improve incident response are proposed in current action plans.97

- 7. School Leadership/Governance: Federal Constitutional Law establishes that schools are based on the basic values of "democracy, humanity, solidarity, peace and justice as well as openness and tolerance towards people."98 The school system enjoys local autonomy and has a quality assurance system. 99 The Framework for Quality Schools highlights the importance of diversity, 100 and an additional focus on promoting democracy and preventing antisemitism is envisaged in the required training of school leaders. A seminar for school leaders will take place in 2024 based on the OSCE and UNESCO handbook. "Addressing antisemitism in schools: training curriculum for school directors. 101
- **8. Teacher Training:** Pre-service training can be attained via colleges of education and universities. Teachers who are trained at a college of education complete a course system with predefined modules. Antisemitism, the Holocaust, and genocide studies are an integral part of this system. In 2022, more than 14 000 teachers and multipliers were reached through ERINNERN: AT in-service programmes, and nearly 900 Austrian educators have received a 14-day training at Yad Vashem, the World Holocaust Remembrance Centre, with government funding. 102 As part of the National Strategy against Antisemitism, an international research project was launched to develop recommendations and guidelines for countering antisemitism specifically in teacher training. 103 The research results were published in 2021 and incorporated into the OeAD publication,

⁹² See: https://www.erinnern.at/zeitzeuginnen/lernen-mit-video-interviews

⁹³ See: https://www.bmbwf.gv.at/Ministerium/Presse/20230505.html

⁹⁴ May 8th is considered a day of Commemoration against Violence and Racism in Memory of the Victims of National Socialism, see: https://www.erinnern.at/gedenktage/8-mai/jahrestag-der-bedingungslosen-kapitulation-der-wehrmacht

⁹⁵ See: https://www.bmbwf.gv.at/Themen/schule/beratung/os.html

⁹⁶See: <u>https://www.antisemitismus-meldestelle.at</u>

⁹⁷ A study on teacher capacity to address antisemitic incidents was published in 2021, see: https://www.erinnern.at/themen/artikel/neuerscheinung-antisemitismen-sondierungen-im-bildungsbereich. This set the stage for the measures proposed in the recent policy guidance document, see https://www.erinnern.at/media/ed8e10fdbdc1408eb5d3227f82ae658c/oead-e-at-strategiepapier-enfnn.pdf/view, p. 20.

 $^{^{98}\,\}mbox{See}$ Article 14 paragraph 5a of the Constitution.

⁹⁹ The Federal Institute for Quality Assurance in the Austrian School System acts in accordance with Federal Law, see: https://www.ris.bka.gv.at/eli/bgbl/l/2019/50. Pilot projects must carry out a final evaluation with regard to a possible transfer to the regular school system, see: https://www.ris.bka.gv.at/GeltendeFassung, wxe?Abfrage=Bundesnormen&Gesetzesnummer=10009265

¹⁰⁰ Der Qualitätsrahmen Für Schulen, October 2020. See: https://www.qms.at/images/Qualitaetsrahmen_fuer_Schulen.pdf

¹⁰¹ See: https://www.osce.org/odihr/4706

¹⁰² According to an email from an official at the Austrian Federal Ministry of Educatin, Science and Research on June 1, 2023.

¹⁰³ Rosenfeld, Schmid-Heher and Wiegemann. Preventing Antisemitism through Education, 2022. See: <a href="https://www.erinnern.at/media/ed8e10fdbdc1408eb5d3227f82ae658c/oead-e-at-strategiepapier-enfin.pdf/vie<w">https://www.erinnern.at/media/ed8e10fdbdc1408eb5d3227f82ae658c/oead-e-at-strategiepapier-enfin.pdf/vie<w

- "Recommendations on Preventing Antisemitism through Education," which was subsequently adopted by IHRA as an example of worldwide best practice. 104 The OSCE-UNESCO curricula guidelines for teacher training are used and promoted, 105 and the development of mandatory teacher training in the field of prevention of antisemitism is currently a main focus of the Austrian Federal Ministry of Education, Science and Research.
- 9. Textbooks: Each school can choose its textbook from those certified by an official commission of teachers, scholars and ministerial officials. Education media selected by teachers from outside this list must also be approved through established procedures. Antisemitism and Jewish history are part of the History and Citizenship Education curricula: therefore, these topics are included in the list of approved textbooks. 106 In addition, the Austrian Federal Ministry of Education, Science and Research has been conducting regular textbook evaluations on antisemitism-related issues, for example, through the Strobler Textbook Conversations¹⁰⁷ and the Austrian-Israeli Textbook Committee. 108

- 1. Continue to strengthen the necessary mechanisms to support and monitor implementation of the ERINNERN:AT publication "Recommendations on Preventing Antisemitism through Education" on behalf of the Federal Ministry of Education, Science and Research.
- 2. Set up rigorous impact evaluation mechanisms in order to maximise the learnings from the good practice measures, which show that the Austrian government is a leader in the field of education policy that addresses antisemitism in Europe.
- 3. Introduce an easily accessible incident reporting and response system for schools, universities, and educational institutions.
- 4. Encourage school-wide activities that promote education to address antisemitism and/or Jewish studies. Increase efforts to reach regions and schools that have less exposure to the realities of Jewish life past and present.

¹⁰⁴ IHRA Gothenburg Plensary, November 2022: "The Plenary decided to endorse the recommendations to empower teacher training institutes to counter Holocaust distortion and antisemitism, developed by ERINNERN:AT and its partners...The Plenary agreed to encourage Member Countries to disseminate these recommendations to the relevant audiences." IHRA Annual Report 2022, see: https://sway.office.com/gbc4CtztK4LyYOlt?ref=Link

¹⁰⁵ The IHRA Gothenburg Plenary of November 2022 decided to endorse the recommendations to empower teacher training institutes to counter Holocaust distortion and antisemitism, developed by ERINNERN:AT, from IHRA Annual Report 2022, https://sway.office.com/gbc4CtztK4LyYOlt?ref=Link

¹⁰⁶ C.f. Kühberger, Cristoph; Mittnik Philipp, Empirische Geschichtsschulbuchforschung in Österreich. Studienverlag, 2015.

¹⁰⁷ The Strobler Textbook Conversations took place in 1999, 2006 and 2008 on behalf of the Ministry of Education. Several working groups dealt with the presentation of National Socialism and the Holocaust, Jewish history and the history of the State of Israel in Austrian school books. See: https://www.erinnern.at/themen/internationale-schulbuch-dialoge

¹⁰⁸ Since 2017, the Austrian-Israeli textbook committee has been working on the analysis of textbooks for history and political education as well as geography with regard to the depiction of both countries. Using the results, the committee formulated recommendations for the further development of textbooks, published on 27 Januar 2022. See: https://www.erinnern.at/themen/internationale-schulbuch-dialoge



HATE CRIMES



KEY INDICATORS



Hate Crimes

OVERVIEW

The EU Framework Decision on combating racism and xenophobia obliges Member States to create a legal framework to respond to hate crimes, 109 while the Council Conclusions on "Combatting hate crime in the EU"110 encourages the development of a self-regulatory code of conduct to prevent the proliferation of online hate speech in Europe.¹¹¹ In addition, the Key Guiding Principles published in December 2017 by the EU High Level Group on Racism calls on Member States to make use of developed strategies to improve the reporting of hate crimes by law enforcement authorities, simplifying access to judicial procedures and support for victims, as well offering as hate crime training for the law enforcement agencies. 112

To better respond to antisemitic hate crimes, in June 2022 the Austrian government signed a Memorandum of Understanding with IKG Wien, which has its own reporting centre for antisemitism. In 2022, IKG Wien recorded 719 incidents, a 25% decrease compared to the

Since 2021, hate crime recording has been mandatory and an infrastructure was put into place, resulting in notable improvements in the recording process. For example, a "motive" tab was activated in the police data recording system, which includes nine bias categories: age, disability, gender, skin colour, national/ethnic origin, religion, sexual orientation, social status and ideology/worldview. This information can be transmitted directly to the judicial system. The National Network Countering Hate Crime recently co-created an online mapping tool which has the potential to substantially improve the relationships between various stakeholders, including judiciary and legal services. Including judiciary and legal services.

The 2022 annual report "Hate Crime in Austria," 117 published by the Federal Ministry of the Interior, shows that bias-motivated crimes are noticeably increasing, and awareness-raising measures are urgently needed. The report indicates that suspects are primarily young, male Austrian nationals. 118 This is in line with data from the last decade demonstrating

year before, but still higher than in previous years. Experts are particularly concerned that physical assaults and threats have steadily increased in the last two years.¹¹⁴

¹⁰⁹ National strategy against antisemitism, p. 49. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National strategy against antisemitism.pdf

¹¹⁰ See: 17057/2013 (JHA)

¹¹¹See Code of conduct: <u>ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en#theeucodeofconduct.</u>

¹¹² National strategy against antisemitism, p. 50. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

¹¹³ See: https://www.ikg-wien.at/en/reporting-centre-for-antisemitism and https://www.antisemitismus-meldestelle.at/

¹¹⁴ See: https://www.antisemitismus-meldestelle.at/_files/ug-d/0a9e18_5c8e60993b6b4060a30bb8799ec6491e.pdf, pages 5-6

¹¹⁵ Hate Crime in Austria Annual Report 2021, p.6.

¹¹⁶ See: <u>https://www.facingfacts.eu/austria-systems-map-en/</u>

¹¹⁷ See: https://bmi.gv.at/bmi_documents/3042.pdf

¹¹⁸ See: <u>https://bmi.gv.at/news.aspx?id=534F47625469375866706B3D</u>

a steady increase in crimes motivated by rightwing extremists.¹¹⁹

The Federal Ministry of Justice explicitly refers to a victim-centred approach in handling hate crimes. The IKGs, responsible government agencies, ¹²⁰ and private organisations such as "Weisser Ring" ¹²¹ or "Die Möwe" ¹²² provide assistance. ¹²³ Further, the Federal Chancellery Office of the National Coordinator on Antisemitism has taken a leading role in efforts to improve antisemitic hate crime data across the EU, most notably through the processes initiated by the "Vienna Declaration," ¹²⁴ which brought together special envoys and coordinators on combating antisemitism, Jewish communities as well as members of the EC working group on hate crime.

ASSESSMENT OF KEY INDICATORS

1. Investigation and Prosecution:

Antisemitism as a bias motive has only been included in the police reporting system since 2021. The Federal Ministry's National Hate Crime Report¹²⁵ for that year includes disaggregated figures for police-recorded incidents, but data on the entire lifecycle of a hate crime is not included.

2. Legislation on Hate Crimes: National hate crime legislation has existed since 2020. The Austrian law is based on the definition provided by the Office for Democratic Institutions and Human Rights (ODIHR), which establishes that a hate crime must involve both a crime and a discriminatory motive, favouring the victim's perspective. 126

- 3. Recording of Hate Crimes: The recording of hate crimes by police has been obligatory since November 2020. Training is underway, both offline and online, on hate crime and on antisemitism. The Federal Ministry of Interior publishes an Annual Report with data disaggregated by bias motivation and type of crime. 127
- 4. Victim Support: The State provides support to all victims of crime in the same way; there is no special programme for victims of antisemitic hate crime, nor for victims of any hate crime. The private organisation Weisser Ring is in charge of the victim emergency calls, counselling and trial accompaniment on behalf of the Ministry of Justice and the Ministry of the Interior. IKGs offer their own support to victims of antisemitism. In November 2022, Austria held an OSCE-ODIHR Diagnostic Workshop on improving responses to hate crime victims. 128 In addition, members of the National Network Countering Hate Crime participated in a systems-mapping process which resulted in the report "Connecting on Victim Support in Austria", published in July 2023 by the Facing Facts Network. 129

- 1. Adopt a national hate crime strategy based on implementation frameworks in order to strengthen coordination amongst stakeholders.
- 2. Set up a monitoring mechanism to track hate crime incidents to their conclusion, including prosecution and sentencing.
- 3. Ensure the readiness of prosecutors and judiciary to process the increase in cases which will result from the improved police recording system.
- 4. Systematise hate crime data collection and data exchange practices across CSOs, equality and anti-discrimination bodies, based on agreed-upon parameters.

 $^{^{119}}$ FRA Overview of Antisemitic Incidents in the EU 2011-2021 https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-antisemitism-overview-2011-2021_en.pdf, page 31

¹²⁰ For example, see https://www.opfer-notruf.at/opferhilfe/; https://www.justiz.gv.at/www.justiz.gv.at/service/opferhilfe-und-prozessbegleitung.961.de.html

¹²¹ See: https://www.weisser-ring.at

¹²² See: https://www.die-moewe.at/?gclid=EAlalQobChMI2PT4y6_B8AIVBNN3Ch24lQiAEAAYASAAEgKIIfD_BwE#offsite_menu

 $^{^{123}}$ There are also support structures for perpetrators intended to counter political or religious radicalisation if either has been identified as an underlying factor in the crime.

¹²⁴ See: https://ec.europa.eu/newsroom/just/items/748583/en

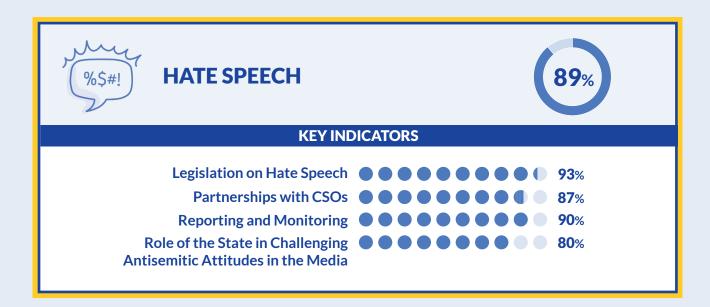
¹²⁵ See: https://www.bmi.gv.at/408/Projekt/files/552_2022_Hate_Crime_Report_Englisch_V202211118webBE.pdf

¹²⁶ Vgl. Fuchs, Walter, Hate Crime in Österreich. Konzept, Rechtsrahmen, Datengrundlagen, Verbreitung und Auswirkungen von vorurteilsmotivierten Straftaten. IRKS, Vienna 2021, p. 12.

¹²⁷ See: https://www.bmi.gv.at/408/Projekt/files/552_2022_Hate_Crime_Report_Englisch_V202211118webBF.pdf

¹²⁸ See: https://fra.europa.eu/en/event/2022/odihr-diagnostic-work-shop-assess-hate-crime-victim-support, report to be released in 2023.

¹²⁹ This action-research tool was developed and facilitated by CEJI as leader of the Facing Facts Network, in partnership with ZARA, coordinator of the National Network Countering Hate Crime. See: https://www.facingfacts.eu/wp-content/uploads/sites/4/2023/07/Connecting-on-Victim-Support-in-Austria-EN-270723.pdf



Hate Speech

OVERVIEW

Hatred of someone "on the basis of their (assumed) membership to a certain group, as well as their insult in a way that violates human dignity," is a punishable offence in the Austrian Penal Code¹³⁰ with a sentence of up to two years imprisonment.¹³¹ The law has only been in effect in its current form since 2020, and an amendment added language to include incitement to hatred based on disability, age, sexuality, and gender. National Socialist activities¹³² are illegal in the country, and the Symbols Act¹³³ (Abzeichengesetz) bans the use of the swastika and the double sig rune, as well as other emblems, symbols and signs of National Socialism. The 2022 National Hate Crime Report identified a high proportion of online offences which had an antisemitic motive (40%). The only other motive which appears as significantly in online cases is ideological opposition to democratic constitutional values. 134

ASSESSMENT OF KEY INDICATORS

- 1. Legislation on Hate Speech: The law criminalising hate speech is preceded by the law banning National Socialist activities, which punishes the denial, trivialisation, justification and approval of National Socialist crimes. The civil code (ABGB) provides for damages from defamation but no compensation for immaterial damages. 136
- 2. Partnership with Civil Society
 Organisations: The Directorate for State
 Protection and Intelligence (DSN), Office
 for the Protection of the Constitution
 and Counterterrorism (LVT) and the IKGs
 maintain an active exchange of information.
 Police training includes a module that
 focuses on raising awareness of groupbased hatred and antisemitism to ensure
 better victim support. The Austrian No Hate
 Speech Committee brings together more
 than 30 participating members, including
 the Antisemitism Reporting Office of IKG
 Wien and several Federal Ministries.¹³⁷

¹³⁰ See: https://www.ris.bka.gv.at/GeltendeFassung. wxe?Abfrage=bundesnormen&Gesetzesnummer=10002296

¹³¹ See: https://www.ris.bka.gv.at/UI/Erv/Info.aspx

¹³² C.f. BGBI. Nr. 148/1992, see: https://www.ris.bka.gv.at/Dokumente/BgblPdf/1992_148_0/1992_148_0.pdf

¹³³ C.f. BGBI I Nr. 113/2012, see: https://www.ris.bka.gv.at/eli/bgbl/l/2012/113

 $^{^{134}\,\}text{See:}\,\underline{\text{https://bmi.gv.at/bmi_documents/3042.pdf}}, page\,48$

¹³⁵ BGBI. Nr. 148/1992, see: https://www.ris.bka.gv.at/Dokumente/BgblPdf/1992_148_0/1992_148_0.pdf

¹³⁶ C.f. ABGB §1330, see: https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Bundesnormen&Dokumentnummer=NOR12019074

¹³⁷ For the full list of Austrian No Hate Speech Committee members, see: https://www.nohatespeech.at/komitee/mitglieder/

- 3. Reporting and Monitoring: There are a number of hotlines and platforms for reporting hate speech. These include the Federal Ministry of the Interior's reporting office for National Socialist re-enactments, IKG Wien's website, 138 and the antiracism association ZARA, which collects reports of online hate. Few hate speech cases have been successfully litigated, except for a few judgments against National Socialist activities. 139 It is too recent to adequately assess the effects of hate speech legislation and case law in this area is still pending.
- 4. Role of the State in Challenging Antisemitic Attitudes in the Media:

The Austrian Press Council¹⁴⁰ is a self-regulatory body to which the most important associations of journalists and publishers belong. Although antisemitism is not explicitly mentioned in its Code of Ethics,¹⁴¹ it is implicitly included in the ban on discrimination. However, the harshest consequence of violating the press code is being called out by the Council in public statements ("naming & shaming");¹⁴² there are no legal consequences.

- 1. Implement measures dealing with online hate per the National Strategy, ensuring the necessary legislative, cooperation and training frameworks.
- 2. Strengthen cooperation amongst existing prevention networks, including the Nationwide Network for the Prevention of Extremism and Deradicalisation, the Countering Hate Network, the No Hate Speech Movement and experts gathered through _ERINNERN.AT_ in the Ministry of Education, Science and Research.
- 3. Increase structural support to CSOs, who are crucial actors in hate speech monitoring and prevention and victim support.
- 4. Develop partnerships with media organisations by organising cooperative events. Increase media campaigns aimed at strengthening digital literacy and improving societal resilience to extremist ideologies.

¹³⁸ See: https://www.antisemitismus-meldestelle.at

¹³⁹ See: <u>https://www.ris.bka.gv.at/Dokumente/</u> <u>BgblPdf/1992_148_0/1992_148_0.pdf</u>

¹⁴⁰ See: https://www.presserat.at

¹⁴¹ See: https://www.presserat.at/show_content.php?hid=2

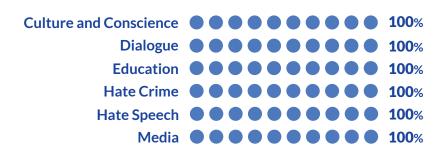
¹⁴² See: https://www.sumomag.at/die-ohn-macht-des-presserates/



HOLOCAUST REMEMBRANCE



KEY INDICATORS



Holocaust Remembrance

OVERVIEW

Austria has been an active member of IHRA since its inception, and this is reflected in the breadth of Holocaust remembrance initiatives which exist in the country. The ERINNERN:AT programme, which is part of the Federal Ministry of Education, Science and Research, offers a number of workshops and modules for teachers, teachers-in-training, and students, providing an interdisciplinary approach to remembrance. In addition, the organisation provides teaching materials on the topics of antisemitism and the Holocaust, aimed at both teachers and students, with various pedagogical approaches. Teachers are free to use the approach they prefer, although guidelines on the content and objectives of Holocaust education are clearly defined in the national curricula. The National Fund of the Republic of Austria for Victims of National Socialism and the Future Fund of the Republic of Austria provide special funding for the research which informs these guidelines.

Many commemorative events take place during the year. 143 Initiatives include a permanent exhibition in the Parliament Library and a #WeRemember campaign banner in front of the Parliament building during the two weeks of

ASSESSMENT OF KEY INDICATORS

1. Culture and Conscience: Two memorials to Jewish victims of the Holocaust—the Holocaust Memorial and the Wall of Names—have been erected in Vienna. 145 Most other Holocaust memorials are linked to the Jewish cemeteries, which are protected by the Washington Agreement. 146 However, not all proposals for the restoration of Jewish cemeteries have been submitted to or approved by the Fund for

commemoration events in January. In addition, Parliament awards the Simon Wiesenthal Prize¹⁴⁴ of 30 000 euros for outstanding civic engagement to combat antisemitism and promote Holocaust education. The country recognises International Holocaust Remembrance Day as well as other more popular commemoration days, such as the Festival of Joy, which honours the victims of National Socialism, and the March of the Living, which is observed around the anniversary of the liberation of the Mauthausen concentration camp or of the November pogrom.

 $^{^{143}\,\}mathrm{As}$ reported by Parliamentarian David Pinchasov in an email on May 13, 2023.

¹⁴⁴ See: https://www.nationalfonds.org/announcement/simon-wiesenthal-prize-for-civic-engagement-to-combat-antisemitism-and-educate-the-public-about-the-holocaust

¹⁴⁵ For more information, see: https://www.visitingvienna.com/sights/museums/holocaust-memorial/

 $^{^{146}\,\}mathrm{See}$ the chapter on Culture and Heritage for more information.

the Restoration of Jewish Cemeteries in Austria. The most comprehensive account of the Holocaust is available online through the Victims Database of the Documentation Archive of the Austrian Resistance (DOEW). 147 The DOEW is funded by the City of Vienna, the Federal Chancellery, the Federal Ministry of Education, Science and Research, the Federal Ministry of the Interior, the National Fund of the Republic of Austria for Victims of National Socialism, the Future Fund of the Republic of Austria and the Federal State of Lower Austria.

- 2. Dialogue: The State actively supports interfaith and intercultural engagement in Holocaust remembrance activities. Representatives of all religious communities are present at the annual ceremonies marking the liberation of the Mauthausen concentration camp in May.¹⁴⁸
- **3. Education:** The Holocaust is an integral part of the History and Citizenship Education curriculum and is studied by grades eight through twelve. ¹⁴⁹ In addition, there are well-funded mechanisms for non-formal educational programmes.
- **4. Hate Crime:** The State investigates and prosecutes the vandalisation of Holocaust memorials. ¹⁵⁰
- 5. Hate Speech: A law banning National Socialist activities has been in force since 1947 and is enshrined in the Constitution. Since December 2020, the Communications Platforms Act requires platforms with more than 100 000 users and more than 500 000 euros in revenue to remove postings that are prohibited by criminal law within 24 hours. Revisionism, amongst other examples of hate speech, falls under this category. 152

6. Media: Within the framework of International Holocaust Remembrance Day, there are several political events which are covered by the media. However, there is no particular strategy behind them. The Austrian Press Council's self-regulated Code of Ethics bans discrimination. 153

- 1. Take the lead in Europe on developing appropriate cross-border mechanisms to penalise Holocaust denial and distortion in online media.
- Develop creative media strategies for covering remembrance events to raise awareness and promote civic engagement in human rights issues.

¹⁴⁷ See: https://www.doew.at

¹⁴⁸ See: https://www.befreiungsfeier.at/programm-thema/programm-2022-oesterreichweit

 $^{^{\}rm 149}\,{\rm See}$ the chapter on Education for more information.

 $^{^{150}}$ C.f. https://www.academia.edu/43286317/Die_KZ_Gedenkstätte_Mauthausen_als_Museum

¹⁵¹ C.f. RIS - Verbotsgesetz 1947 - Bundesrecht konsolidiert, Fassung vom 04.05.2023 (bka.gv.at).

¹⁵² See: KoPi-G, BGBI. I 2020/151. <u>https://www.ris.bka.gv.at/eli/bgbl/I/2020/151</u>

¹⁵³ C.f. <u>https://www.presserat.at/show_content.php?hid=2</u>



INTERCULTURAL DIALOGUE



KEY INDICATORS



Intercultural Dialogue¹⁵⁴

OVERVIEW

In principle, the State strives to create a positive climate for discussion and promotes projects involving intercultural and interreligious exchange. However, it appears to act more as a facilitator than an initiator, relying on CSOs to take the lead. There are a number of statefunded or state-supported regional initiatives as well as local activities, such as events jointly organised by the Muslim Youth of Austria and the Jewish Student Union. 155 There is also a range of public and private initiatives aimed at groups experiencing discrimination, including minority religious groups and migrant groups. In general, organisations representing different ethnic or religious groups maintain healthy relationships with lively exchanges, although interreligious dialogue could be further promoted and strengthened.

ASSESSMENT OF KEY INDICATORS

1. Financing: Most initiatives are financed at the local or regional level, within the framework of the specific cabinets of the state ministries (mainly culture, but also sports and social affairs). The Federal Chancellery has its own budget that can also be used to support them.

3. Religious and Cultural Literacy:

Christianity and Judaism are generally presented in a positive light in political discourse as an essential part of Austrian tradition and identity. Training on religious and cultural literacy is frequently focused on law enforcement, and teacher and youth education. There are plans to engage with public administrations in the near-future.¹⁵⁹

4. Representation: There is regional autonomy in the training of religious educators. The government supports the University College for Teacher Education of Christian Churches, which provides ecumenical religious teacher education and

^{2.} Frameworks: There are a number of initiatives that promote dialogue which receive regular state funding, such as the Coordinating Committee for Christian-Jewish Cooperation, 156 the University College of Teacher Education Vienna/Krems 157 and the student initiative Café Abraham Wien. 158 A Master's course in Interreligious Dialogue is offered at the University for Continuing Education in Krems.

¹⁵⁶ See: https://www.christenundjuden.org/geschichte.html

¹⁵⁷ See: https://www.donau-uni.ac.at/de/aktuelles/presse-medien/presseinformationen/2016/interreligioese-verstaendigung-in-der-pluralen-gesellschaft.html

¹⁵⁸ See: <u>https://cafeabrahamwien.home.blog/</u>

¹⁵⁹ See the National Strategy against antisemitism 2021, pages 122-123, 134-135. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

 $^{^{154}\,\}mathrm{For}$ the purposes of this report, Interfaith and Intercultural Dialogue are used interchangeably.

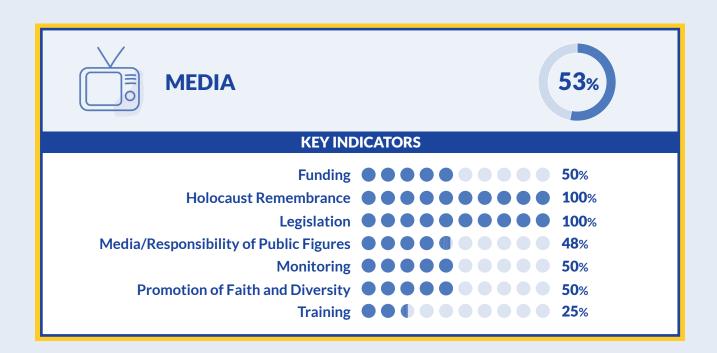
¹⁵⁵ See: https://www.wina-magazin.at/nicht-ueber-sondern-miteinander-reden-und-handeln/

includes training on Judaism and Islam. 160 The government supports the annual "Judaism Day," organised by the Austrian Council of Churches. 161

RECOMMENDATIONS

 Develop and expand training materials on cultural and religious issues geared towards combating antisemitism and other forms of discrimination.

- 2. Take a more proactive role in promoting intercultural dialogue, for example, through standing consultative mechanisms on different policy areas of concern.
- 3. Include more minorities in intercultural dialogue initiatives.
- 4. Undertake an empirical study to understand the value of teaching about relgions for citizenship and intercultural competency.
- 5. Increase communications that promote diversity and antidiscrimination concerning all religious communities in Austria.



Media

OVERVIEW

Freedom of the press is enshrined in the Austrian Constitution, which means there is little government involvement or interference. The Austrian Press Council ¹⁶² is a self-regulatory body with its own Code of Ethics ¹⁶³ to which the most important associations of journalists and publishers adhere. Although antisemitism is not explicitly mentioned, it is implicitly included in the ban on discrimination. The Austrian

Communications Authority, "KommAustria", is the competent independent regulatory body for audio-visual media service providers. There are few educational offerings for journalists aimed at raising awareness about antisemitism.

ASSESSMENT OF KEY INDICATORS

1. Funding: The State does not explicitly fund media projects aimed at eradicating hate and antisemitism, but some media and content that address these topics are cofinanced by the public sector.

¹⁶⁰ See: https://kphvie.ac.at/en/departments.html

¹⁶¹ See: https://tagdesjudentums.christenundjuden.org/

¹⁶² See: https://www.presserat.at

¹⁶³ See: https://www.presserat.at/show_content.php?hid=2

¹⁶⁴ Federal Act on the establishment of an Austrian Communications Authority ("KommAustria Act"). See: https://www.ris.bka.gv.at/ Dokumente/Erv/ERV_2001_1_84/ERV_2001_1_84.pdf

- 2. Holocaust Remembrance: Holocaust Remembrance Day is covered in the Austrian media, including the annual ceremony of the Parliamentary Administration on January 27th. However, it is generally given less attention than the day of the liberation of the Mauthausen concentration camp or the commemorations of the November 1938 pogroms.
- 3. Legislation: Editorial independence and freedom of the press are enshrined in Article 13 of the Austrian Constitution. However, in 2022, Austria's ranking in the annual press freedom index from Reporters Without Borders fell sharply compared to previous rankings (from place 17 to 31) and now has the lowest score in 20 years, most probably due to political interventions, pressures or restrictions. 167
- 4. Media/Responsibility of Public Figures:
 The Austrian Press Council's Code of
 Ethics¹⁶⁸ protects against denigration and
 discrimination but is voluntary and not
 legally binding. While the National Strategy
 envisages raising media awareness of
 antisemitism, it is unclear how this will be
 achieved.
- 5. Monitoring: Since defamation or insult are generally civil charges, no monitoring body exists for media service providers regarding incitement to hatred based on race, sex, religion or nationality. Violations of the law banning National Socialist activities, on the other hand, are criminal offences. Therefore any public authority that becomes aware of them must take action.
- 6. Promotion of Faith and Diversity:

There are no explicit state-issued policy recommendations for the media to promote respect for faith and diversity, including Judaism. However, many religious groups

- have their own media outlets, which are cofinanced by the public sector. The Austrian Broadcasting Corporation (ORF),¹⁶⁹ a public service broadcaster, has separate editorial departments and programmes for minorities and religions, including Judaism.
- 7. Training: The State offers no media trainings. A number of journalists devote themselves specifically to promoting diversity and inclusion and exchange views among themselves. However, this is not a formal network.

- 1. Provide training for media stakeholders concerning all forms of antisemitism in order to prevent anti-Jewish bias and increase diverse representations.
- 2. Promote policies to encourage the media's role in preventing antisemitism and other forms of intolerance.
- 3. Introduce an independent, state-funded journalism academy with specialised training in selected fields.
- 4. Increase funding of media projects aimed at eradicating hate and antisemitism.

¹⁶⁵ See: https://www.ris.bka.gv.at/eli/rgbl/1867/142/ A13/NOR12000053#:~:text=Artikel%2013..das%20 Concessions%2DSystem%20beschr%C3%A4nkt%20werden

¹⁶⁶ See: https://de.wikipedia.org/wiki/Rangliste_der_Pressefreiheit

¹⁶⁷ See: https://rsf.org/en/country/austria

¹⁶⁸ See: https://research.tuni.fi/ethicnet/country/austria/code-of-ethics-for-the-austrian-press/#:~:text=The%20Austrian%20Press%20Council%20(%C3%96sterreichischer.scrutiny%20of%20the%20Press%20Council

¹⁶⁹ See: https://der.orf.at/unternehmen/austrian-broadcasting-corporation/index.html









Religious Freedom

OVERVIEW

The right to religious freedom is enshrined in the Constitution. Moreover, Austria is a secular state and is not allowed to interfere in the internal affairs of recognised religious communities. There are 16 recognised religions in Austria, each with a legal act in place guaranteeing certain traditions. For example, ritual slaughter and circumcision are guaranteed in the legislation concerning both Jewish and Muslim communities. Judaism has been legally accepted and autonomously organised in the country since the Israelite Law of 1890 was enacted. 171

ASSESSMENT KEY INDICATORS

1. Equal Treatment: If Jews, or other minorities, feel that they are not being treated in accordance with the guidelines and laws on equality, there are a number of equality bodies to which they can turn, such as the Ombud for Equal Treatment (Gleichbehandlungsanwaltschaft)¹⁷² or the

antidiscrimination agencies in each federal state. 173

2. Freedom of Thought or Conscience:

Because Austria is officially a secular state, religious communities are autonomous. Freedom of Thought or Conscience applies equally to all recognised religious communities, including Judaism.

3. Freedom to Manifest: ¹⁷⁴ Article 14 of the Austrian Constitution guarantees freedom of religion and the right to manifest it. ¹⁷⁵

- 1. Strengthen the inclusion of minority groups at all levels of society.
- 2. Promote unbiased communications at all levels.
- 3. Ensure judicial sactions and penalties are imposed in case of violations of religious freedom.
- 4. Create a code of conduct with clearly defined and communicated rules and regulations at all levels of government and associated institutions and organisations.

¹⁷⁰ The recognised religions are the Catholic Church; the Protestant Churches of the Augsburg and Helvetic Confessions; the Orthodox Church; the Jewish religious community; the Islamic Religious Community (IGGO); the Armenian Apostolic Church; the Syrian Orthodox Church; the Coptic Orthodox Church; the Old Catholic Church; the United Methodist Church; The Church of Jesus Christ of Latter-day Saints; the New Apostolic Church; the Buddhist Union; Jehovah's Witnesses; the Alevi Society; and the Free Churches (an umbrella organization for five different religious groups).

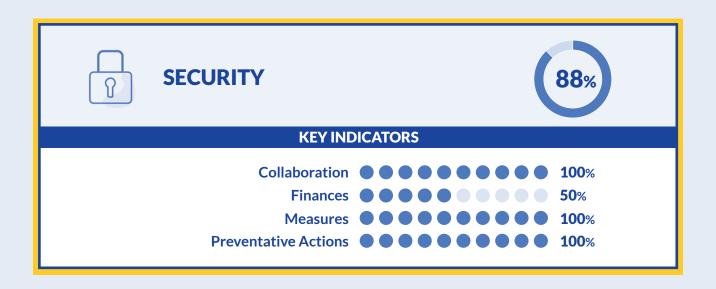
 $^{^{171}}$ Imperial Law Gazette (RGBI.) No. 57/1890 as amended by Federal Law Gazette (BGBI.) No. 61/1984. See Background section for more information.

¹⁷² See: <u>https://www.gleichbehandlungsanwaltschaft.gv.at/</u>

¹⁷³ See: https://www.oesterreich.gv.at/en/themen/dokumente_und_recht/gleichbehandlung/4/3/Seite.1860573.html

¹⁷⁴ "Freedom to manifest" is a common concept in the human rights framework on freedom of religion or belief. It includes the right to manifest religion or belief in teaching, practice, worship, and observance.

¹⁷⁵ Art. 14 BGBI. Nr 1/1930, see: https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=bundesnormen&Gesetzesnummer=10000138



Security

OVERVIEW

The Austrian Federal Ministry of the Interior (BMI) is responsible for domestic security. Protecting Jewish communities and institutions is a top priority as the BMI generally considers them high risk, and the police guard most Jewish and Israeli properties. Protection can involve a range of measures, from regular patrols to the permanent presence of special forces. The police also ensure heightened surveillance on Jewish holidays or during social, cultural or even sporting events. A continuous exchange of information occurs between the police and officers from the Jewish communities responsible for security and protection. In addition, Austrian army units and private security arranged by IKG Wien may be deployed.¹⁷⁶ In addition, approximately 20 per cent of the budget of IKG Wien is spent on security services, and most of its employees are security staff.

Until the Austrian-Jewish Cultural Act, IKG Wien was allocated 1.3-1.4 million euros per year for security measures. This contract with the Federal Ministry of the Interior was to be revisited every three years. In September 2020, the federal government announced long-term financial support to protect Jewish institutions

ASSESSMENT OF KEY INDICATORS

1. Collaboration: The security department of IKG Wien has weekly exchanges with the Austrian security authorities, in particular with the police units, which are part of the BMI, where preventive measures are discussed and set. A partnership is also being developed between the BMI and private-sector education experts to develop a training on "Antisemitism – Education as a Weapon against Prejudice - Early Detection - Encouraging Awareness" (Antisemitismus - Bildung gegen Vorurteile - Früherkennung - Sensibilisierung). The content will be incorporated into the basic training courses for general public administration officials and the police force, as well as continuing development courses for professionals. 179

and promote Jewish life.¹⁷⁷ It subsequently increased the grant to four million euros per year for an indefinite period, to be shared by all IKGs.¹⁷⁸

¹⁷⁶ National strategy against antisemitism, p. 101. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

¹⁷⁷ See: www.bundeskanzleramt.gv.at/bundeskanzleramt/nachrichtender-bundesregierung/2020/kanzleramtsministerin-edtstadlerunterstuetzung-fuer-juedisches-leben-und-die-sicherheit-derjuedischen-gemeinde-wird-gesetzlich-verankert.html

¹⁷⁸ BGBI. I Nr. 39/2021, see: https://www.ris.bka.gv.at/eli/bgbl/l/2021/39

¹⁷⁹ National strategy against antisemitism, p. 102. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

- 2. Finances: According to the Austrian-Jewish Cultural Heritage Act, it is up to IKG Wien, which represents the largest Jewish religious community in Austria, to determine how to distribute the annual grant. A grant agreement is planned to detail and regulate IKG Wien's rights and obligations. The use of the funds must be appropriate and documented once a year, then confirmed by an independent auditor.¹⁸⁰
- 3. Measures: Synagogues in Vienna have been under special state protection since antisemitic attacks occurred in the 1980s.181 Recent events, including a terrorist attack in the inner city of Vienna in 2020,¹⁸² rising tensions in the Middle East, and anti-Covid-measures demonstrations, have once again reinforced security measures by all the actors involved. These range from regular patrols by federal police to round-the-clock surveillance. Property protection measures are based on the risk assessments carried out by the Directorate for State Security and Intelligence (Direktion Staatsschutz und Nachrichtendienst – DSN). In 2019, a security plan was drawn up that defines the protective measures required for increased threat levels which enable security-related situations to be taken into account more quickly and effectively.¹⁸³
- 4. Preventive Actions: The Ministry of the Interior implements various prevention measures. For instance, the Austrian Nationwide Network for Extremism Prevention and De-radicalisation (BNED)¹⁸⁴ was established as part of an approach to foster security policy at all levels of society.¹⁸⁵ The BMI also actively

supports preventive security measures primarily through initiatives to promote and protect fundamental democratic and European values (Article 2 TEU, Charter of Fundamental Rights). 186

- 1. Strengthen interreligious and intercultural collaboration on security topics.
- 2. Ensure that appropriate state-funded resources are provided to enable adapted security measures, particularly with regard to the dangers of antisemitic terror attacks and assaults (for example, for training specialised units and task forces for rapid operational actions).
- Maintain vigilance regarding potential security threats, including white nationalists who have been using increasingly sophisticated communications methods.
- 4. Provide education, training and continuing professional development on an ongoing basis to the security authorities with the aim of raising awareness of the risks to the Jewish community.¹⁸⁷

¹⁸⁰ See: https://www.parlament.gv.at/aktuelles/pk/jahr_2021/pk0183#:~:text=Wien%20(PK)%20%E2%80%93%20Die%20 Israelitische,2020%20in%20Kraft%20treten%20soll

¹⁸¹ See: https://bmi.gv.at/magazin/2021_11_12/Terroranschlag_1981.

¹⁸² See: https://www.derstandard.at/story/2000121398294/was-wirderzeit-ueber-den-terroranschlag-in-wien-wissen-und

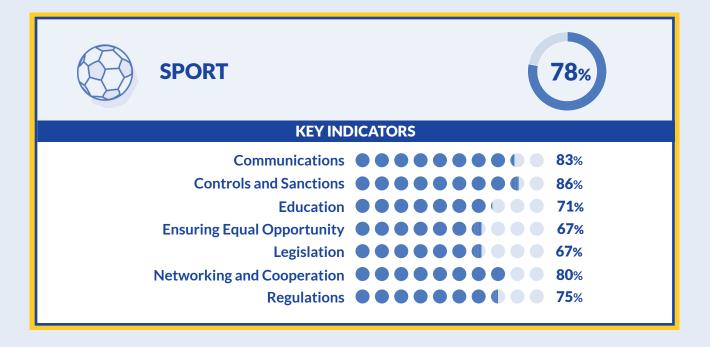
¹⁸³ National strategy against antisemitism, p. 103. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

¹⁸⁴ See: https://www.bmi.gv.at/bmi_documents/2236.pdf

¹⁸⁵ See: https://www.bundeskanzleramt.gv.at/agenda/jugend/lebensqualitaet-und-miteinander/extremismuspraevention.html

¹⁸⁶ See: http://fra.europa.eu/en/eu-charter/article/10-freedom-thought-conscience-and-religion

¹⁸⁷ National strategy against antisemitism, p. 105. See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf



Sport

OVERVIEW

This report focuses on football, which is by far the most popular sport in Austria, and involves most of the reported incidents of antisemitism, racism and sexism. Consequently, The Austrian Football Association (ÖFB) is the only sports association developing antidiscrimination strategies in the country. Both the OFB and the Austrian Soccer League (Österreichische Bundesliga) signed the IHRA working definition in November 2021.188 The ÖFB works with the organisation FairPlay¹⁸⁹ which develops strategies to combat racist/homophobic/sexist discrimination together with the clubs on a caseby-case basis and establishes procedures for addressing discriminatory incidents at football matches. The Vienna Institute for International Dialogue and Cooperation (VIDC)¹⁹⁰ is involved in FairPlay and Football Against Racism in Europe (FARE),¹⁹¹ which was founded in Vienna in 1999. The VIDC also runs a reporting office for discrimination offences. Since the VIDC, OFB and Bundesliga launched a new Report Discrimination procedure in May 2022, there

ASSESSMENT OF KEY INDICATORS

- 1. Communications: The ÖFB has launched various campaigns with players engaged in antidiscrimination activities. The ÖFB, the Austrian Soccer League and the individual clubs testify to their commitment against group-based hatred at every opportunity. There are a number of players 193 and officials who regularly and loudly speak out against group-based hate. The professional teams, the amateurs and the youth teams use their homepages and social media channels to support the fight against any form of discrimination. 194
- **2. Controls and Sanctions:** The police, special liaison officers, localities, clubs, fan

has been an increase in reported incidents from participants in amateur sports activities regarding National Socialist activities, racism and sexism.¹⁹² For matches that are deemed problematic, police units, liaison police officers who have direct contact with the fan groups, and plain clothes police officers are on site.

¹⁸⁸ See: https://www.oefbl.at/oefbl/redaktionsbaum/csr/oesterreichische-fussball-bundesliga/ihra-arbeitsdefinition/

¹⁸⁹ See: https://www.oefbl.at/oefbl/csr/projekte-archiv/fair-play/

¹⁹⁰ See: https://www.vidc.org/ueber-das-vidc/das-institut/beispielseite-2

¹⁹¹ See: https://www.farenet.org/en-term-slug/about-fare/

¹⁹² VIDC Annual Report 2022, page 44, see: https://www.vidc.org/fileadmin/statische_seiten/ueber_das_vidc/jahresberichte/vidc-jb22_web.pdf

¹⁹³ See: https://kurier.at/sport/fussball/fussball-david-alaba-fordert-schwarze-spieler-zum-kampf-gegen-rassismus-auf/400936304 and https://kurier.at/sport/fussball/teamspieler-lazaro-es-ist-zeit-laut-antir-assistisch-zu-sein/400932851

¹⁹⁴ For an example, see: https://twitter.com/SKSturm/status/1183631521686663168

- coordinators and the ÖFB develop their own plans for problematic matches. There are coordination meetings where safety and security measurements are constantly adapted. This concerns not only the stadium itself but all critical points of conflict.
- **3. Education:** The FairPlay association regularly provides material for educational campaigns, and is the main service provider for trainings. Specific training on antisemitism is still to be disseminated.
- 4. Ensuring Equal Opportunity: Grassroots activities and nationwide campaigns involving both players and fans promote diversity and equal opportunity. There appears to be significant room for improvement regarding inclusive hiring practices.
- 5. Legislation: Authorities ensure that all laws relating to antiracism and antidiscrimination are also implemented in the field of sport. There is no separate legislation for this.
- 6. Networking and Cooperation: FairPlay participates in the annual National Forum against Antisemitism. The VIDC has been managing FairPlay since 1997¹⁹⁵ and is also a partner of the European Commission and a founding member and central coordinating body of the European network Football Against Racism in Europe (FARE). The ÖFB has outsourced "FairPlay Action Week," Europe's largest antiracism and antidiscrimination campaign in football, to the VIDC. In addition, clubs and fans maintain active relationships with these groups. Officials and players speak out regularly against discrimination.
- 7. Regulation: The ÖFB signed the IHRA working definition in November 2021 to help maintain procedures for addressing antisemitic incidents at football matches.

- 1. Develop specific measures in the field of sport as part of the National Strategy against Antisemitism.
- 2. Enable more protective measurements and increase resources for cooperation with CSOs to implement strategies against antisemitic as well as racist/homophobic/sexist discrimination.
- 3. Consider creating an annual FairPlay Action Week which would focus explicitly on antisemitism.
- 4. Install a diversity and antidiscrimination manager in each club who will work closely with the Corporate Social Responsibility (CSR) Manager and/or ensure the CSR Manager receives the necessary training and resources to focus on meaningful inclusion practices. These trainings should include specific information about antisemitism. Encourage diversity hiring at all levels.
- 5. Ensure regular evaluation of the institutions, programmes and educational methods with which the clubs, leagues and local societies are cooperating and working.
- 6. Communicate about antisemitism, violence or hatred in annual reports in cooperation with Austrian police forces, the responsible departments of the interior ministry and religious communities.

¹⁹⁵ See: https://www.out-sport.eu/vidc-fonds-wiener-institutefur-internationalen-dialog-und-zusammena-vienna-institute-forinternational-dialogue-and-cooperation/

IMPLICATIONS FOR THE FUTURE

In recent years, the Austrian government has taken a leadership role in fighting against antisemitism. During Austria's EU Council Presidency in the second half of 2018,¹⁹⁶ a European Council declaration on combating antisemitism was introduced, followed by the setting up of a working group to support the Member States in implementing the holistic strategy to prevent and combat all forms of antisemitism.¹⁹⁷ Subsequently, in 2021 the Austrian National Strategy against Antisemitism was presented, 198 as was the Federal Law on the Protection of Austrian-Jewish Cultural Heritage. At the international level, the Austrian government convened a meeting of EU Member States in 2022 to sign the Vienna Declaration, which enhances cooperation in fighting antisemitism and encourages the reporting of antisemitic incidents.199

The NOA National Report Card research reflects these efforts by the State. Experts and government representatives interviewed indicate a willingness on the part of the government to pass specific measures and to honour commitments made at the national or EU level, although many note that full implementation will still bring many challenges. For this reason, the NOA recommendations emphasise the importance of trainings as well as research and evaluation. This will contribute to collective learning in the field about what works and doesn't work so that future policy, programme and funding decisions can be informed by evidence.

In addition to the targeted recommendations in this report for each of the ten policy areas, some recommended courses of action apply transversally. This is notably the case for youth and antidiscrimination policies, both of which

are inextricably linked to education. These areas merit further research and possible inclusion in future updates. Indeed, ensuring that Jewish traditions, history, and the problem of antisemitism are consistently addressed in schools in an age-appropriate manner is a key element of fostering Jewish life in a safe and inclusive country.

Jewish communities have a long history in Austria, although many may not know the extent to which they have helped shape the country. While recognising the past and remembering those lost in the Holocaust is important, facing up to the current challenges Jews face today is also essential. According to a 2018 survey, 73% of Jews in Austria say antisemitism is a big or fairly big problem.200 Like racism and other forms of hatred, it can only be overcome by recognising and understanding its specific nature and manifestations. It is essential that Austria complete its National Strategy against Racism, currently under development, and that links between stakeholders are established to reinforce common aims and cooperation. Effective implementation of this new strategy should encourage equal treatment for all.

The European Union has required and supported Austria and other Member States in developing monitoring and response systems. As this report has shown, Austria is rising to the occasion by devising effective structures to address these challenges. By continuing to acknowledge existing gaps and opportunities in national policy and making a concerted, coordinated effort to prevent, address and eradicate antisemitism, a clearer path can be opened towards a more inclusive and democratic Europe.

¹⁹⁶ See: https://www.consilium.europa.eu/media/56242/2018-jul-dec-at-results-en.pdf

¹⁹⁷ See: https://www.bundeskanzleramt.gv.at/dam/jcr:8bd2975f-0483-4e74-abd9-d66446195d7c/antisemitismusstrategie.pdf

¹⁹⁸ See: https://www.bundeskanzleramt.gv.at/dam/jcr:0cfe65c4-a9d0-4028-a281-2b50c8a676b7/National_strategy_against_antisemitism.pdf

¹⁹⁹ See: https://www.vindobona.org/article/fight-against-anti-semitism-vienna-invites-to-the-european-conference-on-anti-semitism

 $^{^{200}}$ Experiences and Perceptions of Antisemitism Second Survey, Fundamental Rights Agency, March 2019, p. 34.

ANNEX – STAKEHOLDERS CONSULTED FOR THIS REPORT

With gratitude to the many people and institutions who contributed to this research

NAME	TITLE
Christoph Bazil	President of the Federal Monuments Authority
Awi Blumenfeld	Education expert, designer of antisemitism training for migrants
Helmut Böck	Special Envoy for the International Holocaust Remembrance Alliance /Special Envoy for the IHRA
Vicky Borochov	JÖH President – Austrian Union of Jewish Students
Hakan Can	Deputy to Head of the Office for Austrian-Jewish Cultural Heritage at the Austrian Chancellery
Cathrine Colussi	Office for Austrian-Jewish Cultural Heritage Task Force at the Federal Chancellery
Peter Florianschütz	Member of Vienna Regional Government and Head of Antisemitism working group for the Municipality of Vienna
Paul Haber	President of the Hakoah Vienna
Michael Haider	Federal Ministry for European and International Affairs of the Republic of Austria – Office of the Legal Adviser
Doreen Ighama	Federal Ministry of Art, Culture, the Civil Service and Sport – Competence Center for Diversity, Antiracism and Antidiscrimination
Martha Keil	Head of the Institute for Jewish History in Austria
Betty Kricheli	Head of the Youth Committee, IKG Vienna
Daniel Landau	Education expert, designer of antisemitism training for police officers
Georg Marschnig	(Senior) Scientist for History Didactics at the Institute for History at the University of Graz
Antonio Martino	Head of the Office for Austrian-Jewish Cultural Heritage at the Austrian Chancellery
Martina Maschke	Federal Ministry of Education, Science and Research – Head of Department V/8 - Bilateral International Affairs Education
Richard Melichar	Federal Ministry of the Interior
Jenny Mitbreit	Head of the Youth Department, IKG Vienna
Benjamin Nägele	Secretary General of the Jewish Community Organization Vienna, IKG Vienna
Stephanie Oener	Federal Ministry of Justice
Alice Penz	Office for Austrian-Jewish Cultural Heritage Task Force at the Federal Chancellery
David Pinchasov	Advisor to the President – Austrian Parliament
Barbara Serloth	Political scientist and Senior Parliamentary Advisor in the Austrian Parliament
Jan Sisko	Federal Ministry of Education, Science and Research
Markus Sulzbacher	Journalist at the daily "der Standard"
Moritz Wein	Austrian Federal Ministry of Education, Science and Research – Directorate General V – Scientific Research; International Relations



NOA – Networks Overcoming Antisemitism www.noa-project.eu



CEJI – A Jewish Contribution to an Inclusive Europe www.ceji.org









