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**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF AUSTRIA
FOR THE 51ST SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of Austria (Austria) for the 51st session of the Universal Periodic Review (UPR).

Background

2. Austria is a country located in south-central Europe and has a population of approximately 9.2 million people.¹ The population is predominantly Christian, with 66% identifying as Roman Catholic, 3.9% as Protestant, 2.2% as Orthodox, 1.2% as adherents to other Christian faiths, 4.2% as Muslim, 12% as atheist, and 10.5% as belonging to other religions.²

3. Austria's last review was held on January 22, 2021.³ As a result of the review, Austria received 317 recommendations, 236 of which it accepted.⁴ While there were no recommendations made regarding assisted suicide, in 2022, a new law went into effect permitting assisted suicide in certain situations.⁵ On the issue of human trafficking, it was recommended by Greece, and supported by Austria, that the government “[e]nsure that cases of human trafficking continue to be investigated, that perpetrators are brought to justice and that the victims are adequately compensated.”⁶ No recommendations were made regarding religious freedom.

Legal Framework

Assisted Suicide

4. In 2022, a new law went into effect in Austria that legalized assisted suicide.⁷ Under this law, adults are permitted to apply for assisted suicide.⁸ The law requires that the adult produce

¹ Reinhold F. Wagnleitner et al, *Austria*, BRITANNICA, <https://www.britannica.com/place/Austria> (last updated July 11, 2025).

² *Id.*

³ *Universal Periodic Review – Austria*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/at-index> (last visited July 14, 2025).

⁴ *Infographic – Austria*, OHCHR, <https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session37/AT/InfographicsAUSTRIA.pdf> (last visited July 11, 2025).

⁵ *New Law Allowing Assisted Suicide Takes Effect In Austria*, BBC (Jan. 1, 2022), <https://www.bbc.com/news/world-europe-59847371>.

⁶ OHCHR, UPR of Austria (3rd Cycle – 37 Session): Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session37/AT/UPR37_Austria_Thematic_List_of_Recommendations.docx.

⁷ *New Law Allowing Assisted Suicide Takes Effect in Austria*, *supra* note 5.

⁸ *Id.*

proof of a diagnosis that he or she has a permanent, debilitating condition, and is free to make his or her own decisions.⁹ The adult then must wait twelve weeks to reflect on his decision.¹⁰ After the waiting period, he is able to obtain lethal drugs at a pharmacy.¹¹

5. Austria is a party to both the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of Persons with Disabilities (CRPD).¹² Article 6 of the ICCPR states that “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”¹³

6. Similarly, Article 10 of the CRPD states that “States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.”¹⁴

Sexual Exploitation and Trafficking

7. Un Sec. 104a of the Criminal Code of Austria:

1) Anyone who, with the intent of exploiting an adult (paragraph 3), recruits, harbors, or otherwise receives, transports, or offers or passes on an adult to another person using unfair means (paragraph 2) against that person shall be punished with imprisonment from six months to five years.

(2) Unfair means include the use of force or dangerous threats, deception about facts, exploitation of a position of authority, a predicament, mental illness, or a condition that renders the person defenseless, intimidation, and the granting or acceptance of an advantage in exchange for transferring control over the person.

(3) Exploitation includes sexual exploitation, exploitation through organ removal, labor exploitation, exploitation for the purpose of begging, and exploitation for the purpose of committing punishable acts.

(4) Anyone who commits the act as part of a criminal organization, using serious violence, or in such a way that the life of the person is endangered intentionally or through gross negligence (Section 6 (3)) or the act results in particularly serious harm to the person shall be punished with imprisonment of one to ten years.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Ratification Status for Austria*, OHCHR,

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=10&Lang=EN.

¹³ International Covenant on Civil and Political Rights art. 6, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

¹⁴ Convention on the Rights of Persons with Disabilities art. 10, *adopted* Dec. 12, 2006, 2215 U.N.T.S. 3, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

(5) Anyone who recruits, harbors, or otherwise receives, transports, or offers or passes on a minor to another with the intent that the minor be exploited (Section 3) shall also be punished with imprisonment of one to ten years.¹⁵

8. In Austria, prostitution is legal but regulated, and brothels are permitted to exist if they undergo an approval process.¹⁶

9. Austria is a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁷ Article 8 of the ICCPR states that “[n]o one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. No one shall be held in servitude.”¹⁸

10. Additionally, Austria is a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.¹⁹

11. Further, Austria is a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).²⁰ Under Article 6 of the CEDAW, “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”²¹

Assisted Suicide

12. In 2022, Austria joined a growing list of countries in Europe that have legalized assisted suicide or euthanasia. Proponents of assisted suicide claim that it enables sick and disabled individuals to “die with dignity.”²² The idea that assisted suicide allows for individuals to “die with dignity” rests on the flawed notion that living life while sick is less dignified than death. As noted by an Austrian Bishop, legalizing assisted suicide is part of a “cultural trend by which the only form of life worth living is a full and active life.”²³

¹⁵ CRIMINAL CODE OF AUSTRIA (rev. 2024), §104a, <https://legislationline.org/sites/default/files/2025-03/Criminal%20code%202023.pdf> (unofficial internal translation).

¹⁶ Sarah Csacsinovits, *A Comparison of Prostitution Law in Austria's Federal Regions*, HOPE FOR THE FUTURE, <https://www.hopeforthefuture.at/en/a-comparison-of-prostitution-law-in-austrias-federal-regions/> (last visited July 14, 2025).

¹⁷ *Ratification Status for Austria*, *supra* note 12.

¹⁸ International Covenant on Civil and Political Rights, *supra* note 13 at art. 8.

¹⁹ *Chapter XVIII Penal Matters: a Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*, U.N. TREATY COLLECTION, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18 (last visited June 25, 2025).

²⁰ *Ratification Status for Austria*, *supra* note 12.

²¹ Convention on the Elimination of All Forms of Discrimination against Women, art. 6, Dec. 18, 1979, 1249 U.N.T.S. 13.

²² Stefan J. Bos, *Austria: Assisted Suicide Legalized Despite Church Opposition*, VATICAN NEWS (Jan. 2, 2022, 4:24 PM), <https://www.vaticannews.va/en/world/news/2022-01/austria-assisted-suicide-legalized-catholic-bishops-opposition.html>.

²³ *Id.*

13. The flawed notion of assisted suicide has also been condemned by human rights experts from the U.N. In a joint statement, the experts stated:

These assumptions, which are grounded in ableism and associated stereotypes, have been decisively rejected by the Convention on the Rights of Persons with Disabilities. Disability is not a burden or a deficit of the person. It is a universal aspect of the human condition.

Under no circumstance should the law provide that it could be a well-reasoned decision for a person with a disabling condition who is not dying to terminate their life with the support of the State.²⁴

14. After assisted suicide became legal, fifty-seven people were killed in just the first year.²⁵ Tragically, this number will only increase year after year, just as it has in other European countries that have legalized similar practices. For example, in the Netherlands from 2022 to 2023, there was a 5.4% increase in the number of people killed by assisted dying.²⁶ In Belgium in 2023, there was a 15% increase in the number of people euthanized compared with the previous year.²⁷

15. Assisted suicide is in contravention of numerous fundamental human rights documents and violates the most fundamental human right, the right to life. Austria has an obligation to protect citizens from being killed, not legalize methods for the sick and disabled to be killed. Again, Austria has an obligation under the CRPD to ensure that “every human being has the inherent right to life.” This right belongs to every human being, not just those who are healthy. Through permitting the sick and disabled to be killed by assisted suicide, Austria is failing to ensure that the disabled can enjoy the same rights as everyone else.

Sexual Exploitation and Trafficking

16. Austria exists as both a transit and destination country for human trafficking.²⁸ Trafficking for sexual exploitation is the predominant form of human trafficking, while trafficking for domestic service also exists.²⁹ Since Austria’s last review, authorities have identified approximately 120 victims of human trafficking every year.³⁰ Unfortunately, the victims identified

²⁴ *Disability is Not a Reason to Sanction Medically Assisted Dying – UN Experts*, OHCHR (Jan. 25, 2021), <https://www.ohchr.org/en/press-releases/2021/01/disability-not-reason-sanction-medically-assisted-dying-un-experts>.

²⁵ Eva Katharina Masel, *Perspective: legal, ethical, and medical perspectives of the landscape of assisted suicide in Austria*, 136 WIENER KLIN WOCHENSCHRIFT 380, 380–381 (2024), <https://doi.org/10.1007/s00508-024-02344-2>.

²⁶ Claudia Chiappa & Lucia Mackenzie, *Europe’s Slow but “Inevitable” March to Allow Assisted Dying*, POLITICO (Dec. 29, 2024, 6:00 AM), <https://www.politico.eu/article/assisted-dying-europe-inevitable-legalization-united-kingdom-europe-euthanasia/>.

²⁷ *Id.*

²⁸ *Combatting Human Trafficking*, AUSTRIAN EMBASSY, <https://www.austria.org/human-trafficking> (last visited July 14, 2025).

²⁹ *Id.*

³⁰ *GRETA Publishes its Fourth Report on Austria*, COUNCIL OF EUROPE (Mar. 11, 2025), <https://www.coe.int/en/web/portal/-/greta-publishes-its-fourth-report-on-austria>.

represent only a small portion of the victims in the country. It is estimated that as many as 17,000 people are living in modern slavery in Austria.³¹

17. The Federal Crime Office's Joint Operational Office for Combatting Migrant Smuggling and Human Trafficking is tasked with leading national efforts to combat human trafficking.³² Further, each regional police office has a specialized unit tasked with investigating human trafficking cases, cross-border prostitution, and migrant smuggling.³³ Additionally, all new police officers are required to undergo human trafficking training.³⁴ However, despite these measures, the number of human trafficking convictions has been declining.³⁵ In 2021, there were five convictions for human trafficking, in 2022, there were four, and in 2023, there was only one human trafficking conviction.³⁶

18. Many trafficking victims in Austria are women and girls who are sexually exploited and forced into prostitution.³⁷ Austria's sex trafficking problem is exacerbated by the fact that prostitution is legal. Many of the women involved in prostitution are forced into it. One former victim explained how she was forced into prostitution by what is known as the "Loveboy Method."³⁸ This method involves traffickers luring women by using love and affection to gain their trust.³⁹ The traffickers then exploit this affection to gradually force women into prostitution.⁴⁰ Others are lured into prostitution with false promises of well-paying jobs or the ability to receive an education. It is estimated that approximately 70% of women forced into prostitution in the European Union are migrants.⁴¹

19. For example, one girl shared her story of how she was trafficked from Nigeria to Austria and forced into prostitution.⁴² In Nigeria, the woman was offered a trip to Europe where she would be able to continue her studies.⁴³ However, once the girl arrived in Austria, she was forced into

³¹ *Modern Slavery in Austria Global Survey Index 2023 Country Snapshot*, WALK FREE (2023), <https://cdn.walkfree.org/content/uploads/2023/09/29075403/GSI-Snapshot-Austria.pdf>.

³² GRETA, *Evaluation Report Austria*, COUNCIL OF EUROPE 39 (Mar. 11, 2025), <https://rm.coe.int/greta-evaluation-report-on-the-implementation-of-the-council-of-europe/1680b4b26a>.

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ Adina Wilcke, *How is Austria involved in human trafficking?*, HOPE FOR THE FUTURE, <https://www.hopeforthefuture.at/en/how-is-austria-involved-in-human-trafficking/> (last visited July 14, 2025).

³⁸ Katrin Berrer, *The Illusion of Voluntary Action: Myths and Realities of Prostitution in Austria*, HOPE FOR THE FUTURE, <https://www.hopeforthefuture.at/en/the-illusion-of-voluntary-action-myths-and-realities-of-prostitution-in-austria/> (last visited July 14, 2025).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Julia Höhn, *Joana – a trainee from HOPE FOR THE FUTURE shares her heartbreaking Story*, HOPE FOR THE FUTURE, <https://www.hopeforthefuture.at/en/joana-a-trainee-from-hope-for-the-future-shares-her-heartbreaking-story-2/> (last visited July 14, 2025).

⁴³ *Id.*

prostitution to repay the cost of her trip.⁴⁴ The trafficker trapped the girl into prostitution by telling her that, if she went to the police, her family would be killed.⁴⁵

20. In 2024, authorities arrested three human traffickers who were living in Vienna and Graz.⁴⁶ The traffickers lured the women to Austria by promising them jobs.⁴⁷ However, once the victims arrived in Austria they were forced to work as prostitutes in brothels.⁴⁸

21. In July 2021, authorities arrested three members of a Romanian prostitution gang in Austria.⁴⁹ The individuals were charged with human trafficking for forcing at least twenty-four women into prostitution in Vienna and other Austrian cities.⁵⁰ Many of the victims were trafficked from Moldova.⁵¹

22. Proponents of legalized prostitution claim that it is designed to protect women. However, nothing could be farther from the truth. Whether illegal or legalized, prostitution preys upon vulnerable women. The idea that prostitution is just another job that women can freely enter and leave is not only a myth but morally wrong.⁵² Surveys have revealed that the majority of women in prostitution have suffered from violence, depression, and trauma.⁵³ Further, many of the women view their job as stressful and humiliating.⁵⁴ Additionally, unlike other jobs, it is extremely difficult for women trapped in prostitution to escape.⁵⁵ Victims of prostitution face humiliating and degrading conditions.⁵⁶ They are kept behind tinted windows and on city streets and stay in small rooms with no sunlight.⁵⁷ To pay for their rooms, the traffickers and pimps receive a significant portion of the money the victims earn.⁵⁸

23. Austria must protect its women and girls from the effects that prostitution has on them. Prostitution has been shown to have many physical and psychological health risks.⁵⁹ Prostitution victims are at an increased risk of having depression, anxiety disorders, and post-traumatic stress disorder.⁶⁰ Further, the victims often lack access to therapeutic treatment and, therefore, turn to

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Austrian authorities bust Chinese human trafficking ring*, SEXCLUB WIEN (Apr. 8, 2024), <https://sexclubwien.com/news/austrian-authorities-bust-chinese-human-trafficking-ring/>.

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Women Lured and Forced Into Prostitution in Austria*, SEX VIENNA, <https://sex-vienna.com/2021/07/17/women-lured-and-forced-into-prostitution-in-austria/> (last updated Nov. 26, 2024).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² Berrer, *supra* note 38.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ Wilcke, *supra* note 37.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ Katrin Berrer, *Mental Scars: the Psychological and Health Consequences of Sex Work*, HOPE FOR THE FUTURE, <https://www.hopeforthefuture.at/en/mental-scars-the-psychological-and-health-consequences-of-sex-work/> (last visited July 14, 2025).

⁶⁰ *Id.*

drugs and alcohol to cope with the trauma they experience.⁶¹ In addition to the psychological abuse, the victims also face violent threats from their traffickers and clients. For example, in February 2024, three women were stabbed to death by a man in a brothel in Vienna.⁶² All three women killed were Chinese nationals.⁶³

Recommendations

24. Austria must protect its sick and disabled people from being killed by assisted suicide. We ask that Austria immediately repeal legislation that permits assisted suicide. Austria must take steps to protect all human life regardless of medical diagnosis.

25. Austria must take steps to increase its ability to prosecute and convict human traffickers. As shown above, convictions for human trafficking have been decreasing since its last UPR. Further, we urge Austria to criminalize prostitution, which exploits vulnerable women. Austria must aggressively cut off the demand for prostitution by investigating and prosecuting human traffickers and individuals who are paying for sex. Additionally, to help the victims, it is imperative that Austria provide aid and resources to those who are trying to escape prostitution.

⁶¹ *Id.*

⁶² Kathryn Armstrong, *Austria: Four Women and a Girl Killed in Vienna in 24 Hours*, BBC (Feb. 25, 2024), <https://www.bbc.com/news/world-europe-68392233>.

⁶³ *Id.*