



**HATE
HATE
CRIME**

Hate crime in Austria – Annual Report 2022

English Summary of Key points

Vienna, 2023

This English Summary is an abbreviated version of the German Annual Report "Lagebericht Hate Crime 2022" which was published on 22 July 2023. Both reports and other related publications are available for download on the public website of the Austrian Federal Ministry of the Interior (BMI).

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Summary

Bias-motivated crimes or hate crimes are acts punishable by law that are committed intentionally because the victim or the object of the crime actually or supposedly belongs to a group that the perpetrators reject (see chapter “Definition of hate crime”). Bias-motivated crimes have a stronger impact than other crimes committed without a bias motive (“waves of harm”). This is because these crimes affect not only the victim, but all bearers of the same identity characteristic and possibly society as a whole. Therefore, victims of bias-motivated crimes have an increased feeling of insecurity and the willingness to report the offences to the police is often lower than in the case of offences without bias motives. Further background information can be found in the **pilot report of June 2021**.¹

Austria has sufficient legal foundations for the investigation and recognition of hate crime (see chapter “Criminal law foundations”).

Since August 2020, the police have been trained in recognising and recording bias motives. On 1 November 2020, the tab "motive" was activated in the police logging programme (PAD) to record them according to victim groups, and since then this has become a fixed part of the work routine of the Austrian police. The entered data is transferred to the judiciary via a specially created interface with the identifier bias motive (VM) by means of the "Electronic Legal Traffic (ERV)" automatically.

The nine categories of bias motives are age, disability, gender, skin colour, national/ethnic origin, religion, sexual orientation, social status and worldview.

On 22 July 2022, the European Day for Victims of Hate Crime, the first Hate Crime Annual Report 2021 of the Federal Ministry of the Interior was published. This now is the English summary of the second Annual Report Hate Crime 2022, published on 22 July 2023 as well.² **In the period from January to December 2022, 5,865 bias-motivated criminal offences were recorded by the police in Austria. A total of 6,779 bias motives were documented in the recording period (2021: 6,619 bias motives in 5,464 offences).** Since an offence can have several bias motives, the number of documented bias motives exceeds the total

1 *Fuchs*, Pilot Report. Hate Crime in Austria. Concept, legal framework, data basis, processing and effects of bias-motivated crimes, IRKS/BMI, July 2021 (German only). English short version is also available on the official BMI website: [Systematische Erfassung von Vorurteilsmotiven bei Strafanzeigen \(„Hate Crime“\)](https://www.bmi.gv.at/systematische-erfassung-von-vorurteilsmotiven-bei-strafanzeigen-„hate-crime“) (bmi.gv.at).

2 The full German version (“Lagebericht Hate Crime 2022”) and this English summary are available on the official BMI website: [Systematische Erfassung von Vorurteilsmotiven bei Strafanzeigen \(„Hate Crime“\)](https://www.bmi.gv.at/systematische-erfassung-von-vorurteilsmotiven-bei-strafanzeigen-„hate-crime“) (bmi.gv.at). Please note that the numbering of the figures and tables of this English summary are not consistent with the extended German version.

number of criminal offences. Only those offences are included whose police investigations have already been concluded.

The key results are

- Across Austria, **76 bias motives** were documented in 2022 **with 65 offences per 100,000 inhabitants** which almost matches the police recording rate of 2021.
- In absolute numbers, bias-motivated offences were recorded most in **Vienna, Lower Austria and Upper Austria**. Relative to the resident population, however, the most bias motives were recorded in Salzburg, Vienna and Burgenland.
- The **overall clearance rate** for hate crimes of **68.3 percent** within the recording period is above the average for crimes recorded in the 2022 police crime statistics (Polizeiliche Kriminalstatistik – PKS).
- In **2022** (in comparison with the data for 2021 in parentheses), the nine **bias motives were recorded in the following order** of frequency: "**worldview**" 2,466 (2,052), "**national/ethnic origin**" 1,968 (1,874), "**religion**" 630 (750), "**skin colour**" 373 (408), "**sexual orientation**" 373 (376) as well, "**gender**" 350 (354), "**age**" 241 (266), "**disability**" 183 (252) and "**social status**" 166 (287).
- The **motive "national/ethnic origin" dominated in hate crimes against life and limb, liberty, honour and public peace**. In contrast, the most frequently documented bias motive "worldview" predominated in cases of damage to property and violations of the Prohibition Act.
- Compared to the PKS 2022, the **suspects** recorded for hate crimes were **more often young, male and of Austrian nationality**. This circumstance was particularly noticeable in antisemitic crime cases. On the other hand, the proportion of foreign suspects was higher for anti-christian and anti-muslim crimes and for hate crimes against "gender" and "sexual orientation".
- As in 2021, **(semi-)public crime scenes dominated in the cases of bias-motivated bodily harm and damage to property**, and less notably among offences against the public domain. Incitement to hatred took place predominantly online, with a similar frequency every second violation against the Prohibition Act.
- **Anti-LGBTIQ**, anti-party, status- and skin colour-related bias crimes were **predominantly committed in public**. Almost every third hate crime because of "national/ethnic origin" was documented in public space.
- **Misogynistic, anti-muslim hate crimes** and those resulting from rejections due to "**disability**" and "**age**" occurred most frequently in the **private sphere**.

- Offences as rejections of "**western democracy**" and "**skin colour**" were documented in one third as offences on the **internet**, which speaks for less direct contact of the suspects with these victim groups.
- The crime scene "**Internet**" was registered **conspicuously** often (40 percent), especially for antisemitic hate crimes, as in 2021.
- **Hostility towards christians was hardly perceived online** by the police, but rather as damages to property on sacred sites by just under a third, albeit less than in 2021.

Finally, the expanding **awareness-raising and networking activities with civil society and expert bodies** led by the Department III/S/1 (Fundamental and Human Rights) are briefly described: nationally within the framework of the No Hate Speech Committee, the Hate Crime Counter Network, the Civil Society Dialogue Body "Police.Power.People.Rights" and internationally within the framework of the EU High Level Group on Hate Speech and Hate Crime,³ as the National Contact Point for the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and as a member of the Europe-wide Facing Facts network. In cooperation with the Austrian Integration Fund (ÖIF), six trainings on Hate Crime for multipliers took place in 2022.⁴ The information folder for Hate Crime victims was published in 12 languages to provide targeted information and support to victims of crime.⁵

Definition of Hate Crime

As part of the project for the systematic recognition of bias motives in criminal charges, a **monitoring definition** was developed that is **based** on the internationally established **definition of ODIHR⁶ (Hate Crime = criminal offence + bias motivation)**. This definition has been both adapted to the domestic legal situation and directly with the Federal Ministry of Justice: **Bias-motivated crimes, also known as hate crimes, are judicially criminal offenses that are intentionally committed due to the actual or supposed belonging of a victim or the object of the crime to a group that the perpetrators reject.** They may be directed against life and limb, other people's property, honour or other legal interests.

³ In particular, a meeting of the Working Group on Data Collection on Hate Crime was held with the EU Fundamental Rights Agency in Vienna on 19-20 May 2022.

⁴ Since spring 2022, 33 internal ÖIF trainers and interpreters have been trained in four sessions and 25 multipliers (social workers, teachers, state employees, NGOs, experts, etc.) in two seminars.

⁵ They can be accessed here: [Systematische Erfassung von Vorurteilsmotiven bei Strafanzeigen \(„Hate Crime“\) \(bmi.gv.at\)](#).

⁶ The Office for Democratic Institutions and Human Rights (English abbreviation: ODIHR) is an institution of the Organisation for Security and Cooperation in Europe (OSCE).

The key for hate crimes is that the victim or the object of the crime was selected, because from the perpetrator’s point of view they represent a group against which they harbour derogatory biases or which they consider to be “undeservedly preferred”. Indications for recognising hate crimes arise from a comprehensive assessment of all the circumstances of the crime. Therefore, the attitudes of the perpetrators as well as the perspectives of victims and witnesses must be given special consideration.⁷ Consequently, the phenomenon of “hate crime” must be understood much more broadly than that of “politically motivated” or “extremist” criminality, since the mostly discriminatory incidents in everyday life cannot be attributed to any “ideological” motivations.⁸

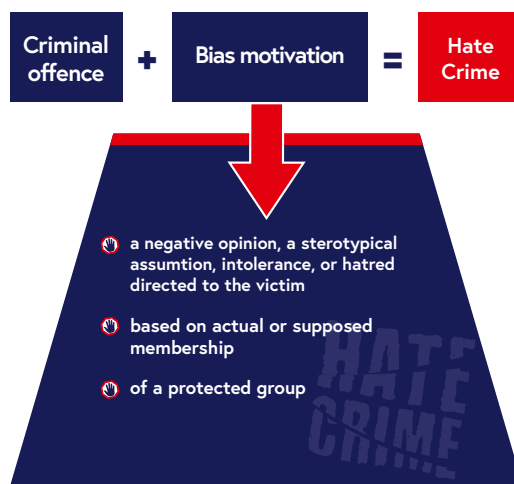


Figure 1: Monitoring-Definition of Hate Crime.

The groups rejected crime are defined by characteristics of identity (gender, ethnic/national origin, sexual orientation, religion, world views/ideology), body (age, disability, skin colour) or social status (e.g. homelessness)⁹ and are particularly protected under criminal law – especially by listing them in the offence of Hate speech (s 283 of the Criminal Code). However,

7 The selection of a victim for the mere purpose of committing a crime is by itself not a bias, especially when it comes to sexual or financial motives in individual cases.

8 This is proven by numerous studies, upon which the relevant international legal situation is based (see chapter „Criminal law foundations“). Hate crime is much more common than extremism because it largely overlaps with “discrimination”, which, however, is not always (judicially) punishable. Initial evaluations of the new police recognition of bias motivations also confirm this approach.

9 The social position typically relates to marginalised segments of the population that have no lobby to represent their interests. It is essential that the negatively valued group affiliation is supposed by the perpetrators, so that basically anyone may be affected by bias-motivated crimes. Occupational groups or other characteristics that are relatively easy to change in personal terms – at least to the perception of third parties – are not recognised or prosecuted by criminal law according to other stipulations (e.g. police officers).

the victim may also belong to several groups (“Intersectionality”), so that they may be even more affected (see Figure 2). The act often sends an intimidating message of hatred to all those who have the same characteristics, so that they are also known as “message crimes”. Not only relatives, friends or neighbours could be affected, but also people who do not even know the victim but find out about the crime from the media, for example. bias-motivated crimes trigger waves of harm. Based on this definition, police officers have been trained since August 2020 to recognise bias-motivated crimes and to record them in police data processing systems.¹⁰

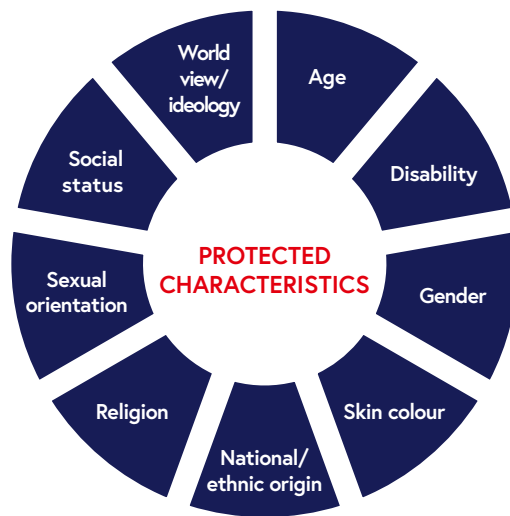


Figure 2: Victim groups - Criminally protected identity characteristics.

Criminal law foundations

In addition to relevant fundamental, substantive and procedural law provisions in Austria, binding international and European law sources are applicable for the unbiased identification, sanctioning and statistical recognition of bias motives and for victim support. The international legal framework comprises in particular the EU Council Framework Decision 2008/913/JHA on the criminal law fight against certain forms of racism and xenophobia, the prohibition of discrimination in the EU Charter of Fundamental Rights, the OSCE Ministerial Council

Decision 9/09, and Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 on minimum standards for the rights, support and protection of victims of crime and the relevant case law of the European Court of Human Rights (ECHR) which has been applicable since 2003.¹¹ Hate crimes in Austria, in addition to specific offences such as hate speech and those in the (Anti-Nazi) Prohibition Act, are generally recognised by aggravating circumstances as of sect. 33 para. 1 (5) of the Criminal Code. The most important relevant provisions in the Criminal Code (StGB) and in the Code of Criminal Procedure (StPO) have been successively developed and recently adapted:

Incitement (Sect. 283 Criminal Code)

Hate speech is committed by anyone who incites violence in public or in front of many people or who calls for hatred against one of the protected groups, whose list was expanded in 2015 precisely because of the international obligations mentioned above (see chapter „Definition of Hate Crime“). This also applies, if these groups or one of their members are pejoratively insulted and/or disparaged in public. The Hate-on-the-Internet-Control Act (HiNBG) 2021 introduced improved protection so that these offences may be prosecuted officially,¹² if the additional requirements are met.¹³

Aggravating circumstances (sect. 33 para. 1, pt. 5 Criminal Code)

In addition to hate speech and the Prohibition Act, this provision is central to bias-motivated crimes, since it is applicable to any deliberate crime. When determining the sentence, racist, xenophobic or other particularly reprehensible motives can be weighted as aggravating. The term “particularly reprehensible” means that bias motivations targeted against one of the groups protected by sect. 283 Criminal Code or one of their members are particularly recognised. But this list is not formulated exhaustively.

Criminal offences against honour

The core area of the phenomenon of “bias-motivated crimes” includes especially Defamation (sect. 111 Criminal Code) and Slander (sect. 115 Criminal Code). A Slander is committed if someone insults, mocks, abuses or threatens to abuse someone in public or in front of at

11 This refers to the case of *Menson et al. vs. UK* (47.916/99; 6.5.2003). The case *Nachova et al. vs. Bulgaria* (43.577/98; 6.7.2005; Grand Chamber), established a broad and detailed judiciary line to this day.

12 Quote from s 283 para. 1, pt. 1 Criminal Code: “Groups of people defined by a church, religious community or others, according to the existing or missing criteria of race, skin colour, language, religion or belief, nationality, descent or national or ethnic origin, gender, disability, age or sexual orientation, or against a member of any such group.”

13 Judgements of the Supreme Court (OGH) since 2015 are summarised in the pilot report of the IRKS.

least three people. Honour crimes are generally offences subject to private charges, but here these cases become officially pursued as prosecutable offences if primarily motivated by the affiliation of the victim with a group (sect. 283 para. 1 Criminal Code) and the if victim authorises the police to prosecute (sect. 117 para. 3 Criminal Code, sect. 92 Code of Criminal Procedure).¹⁴

Victims in need of special protection (s 66a Code of Criminal Procedure)

In 2016, the legal definition of “victim” was expanded (sect. 65 Code of Criminal Procedure, StPO). The procedural rights (sect. 66 Code of Criminal Procedure) were also extended at that time and the obligatory examination of the need for special protection was introduced. Accordingly, certain victims are considered automatically in “need of special protection”.

In addition, according to sect. 66a para. 1 Code of Criminal Procedure, all victims have the right to the earliest possible assessment of their need for special protection by the police according to the criteria of age, physical or mental health, nature, severity and specific circumstances of the offense. In an internal decree of the Ministry of Justice victims of “hate crime” are specifically mentioned as a possible example. This status is associated with special procedural rights in accordance with sect. 66a para. 2 Code of Criminal Procedure.

Process support (s 66b Code of Criminal Procedure)

The HiNBG also extended the possibility of psychosocial and legal process support, if a “personal consternation” was determined by means of an individual case assessment. Victims notably of incitement, defamation committed online or insults are also entitled to claims if it is “necessary to safeguard their procedural rights” (para. 1).¹⁵

¹⁴ Introductory decree of the Federal Ministry of Justice dated 30/5/2016 on the Amendment to Criminal Procedure Law I 2016 (BMJ-S578.029/0006-IV 3/2016). On this occasion, the judiciary is not bound by the assessment of the police.

¹⁵ Commentary to the Government Bill 481, Supplement (s) to the stenographic minutes of the National Council 27. Legislative period 26; See also the decree of the Federal Ministry of Justice dated 24 December 2020 on the criminal and media law regulations of the federal law, on taking action to combat hate on the Internet (Hate-on-the-Internet-Control Act – HiNBG).

Police recorded Hate Crimes in 2022

This **second “Hate Crime in Austria” report 2022** presents the data collected by the police on bias-motivated crimes in the period from January to December 2022, whereby the data analyses were partially expanded to include additional aspects. The data are part of the police crime statistics (PKS) so that only those offences are included whose police investigation work has already been completed. The relevant date is when the responsible officers send their final report to the public prosecutor’s office. This date does not coincide with the time of the crime or the time of its initial report. Therefore, crimes with a suspected bias motive that are still being investigated by the police cannot be taken into account in these statistics.

The basic characteristics of the PKS also apply to this data: As **statistics on reports** they are not a complete and objective "barometer" of the public security situation. Its content depends largely on the reporting behaviour of the population, but also on the investigation and documentation practice of the police. In addition, no statements can be made about the further outcome of criminal proceedings.

In the following, the data collected by the police on hate crime is presented on the basis of regional distribution, bias motives and their characteristics, suspects and crime scenes.

1. Overview and regional distribution

In the period from January to December 2022, **5,865 bias-motivated crimes were recorded by the police in Austria**. This means an increase of about 7 percent (401 offences) compared to 2021 (5,464). Since several bias motives can be assigned to one offence, the number of documented bias motives is in each case at least equal to or greater than the total sum of criminal offences with a bias motive. A total of **6,779 bias motives** were documented in the recording period, which is only 2 percent (160 bias motives) more than in 2021 (6,619). Since bias motives always refer to the offence as a whole and more than one suspect can be documented per offence, the bias motives cannot be clearly assigned to individual offenders.

Table 1 breaks down **bias motives and offences by province** and also contains the shares of **attempted and solved offences**. In addition, figures on the suspects and victims are given. In case of "violent crimes" victims are only partially recorded and only certain offences of the Penal Code are listed for reasons of evaluation, notably offenses against life and limb, liberty, robbery and sexual crimes. According to the table, bias-motivated offences were most frequent in absolute numbers in Vienna, Lower Austria and Upper Austria. These explanations also apply to the following tables and figures.

	Bias motives	Criminal offences	Share of attempts	Clearance rate	Suspects	Violent offences	Victims - violent offences
Burgenland	260	212	8	75,0%	186	34	38
Carinthia	336	300	10	81,3%	279	68	80
Lower Austria	1.029	876	31	62,9%	645	249	290
Upper Austria	956	828	21	74,5%	788	222	269
Salzburg	754	623	29	78,3%	596	117	140
Styria	837	730	43	70,8%	679	201	226
Tyrol	575	501	24	69,5%	416	159	191
Vorarlberg	269	236	18	74,2%	195	96	104
Vienna	1.763	1.559	116	58,2%	1.080	694	802
Total	6.779	5.865	300	68,3%	4.864	1.840	2.140

Table 1: Bias motives registered by the police and related offences (with proportion of attempts and clearance rate), suspects (natural persons), bias-motivated violent offences and related victims (natural persons and legal entities); by province; January to December 2022.

2. Bias motives, forms and offence areas

Table 2 contains a breakdown of the documented **bias motives**, criminal offences, attempts, clearance rate, suspects and victims **according to sections of the Criminal Code and**

ancillary laws ("offence areas") reflecting the protected legal interests violated by hate crimes. As in 2021 the overall clearance rate for hate crimes of 68.3 percent is visibly above the clearance rate for total crime in Austria recorded in the Police Crime Statistics 2022 (PKS 2022: 52.2 percent).

Compared to the previous year, in 2022 bias-motivated offences against "ancillary criminal laws" (1,969 offences compared to 1,460 offences in 2021), which mainly include violations of the Prohibition Act, clearly overtake bias-motivated property offences (1,422 offences compared to 1,521 offences in 2021).

With the exception of the areas of "criminal ancillary laws" and "criminal offences against life and limb", the bias-related offences (as well as the bias motives counted) for all sections of the Criminal Code have decreased in comparison to the previous year. Therefore, in 2022 third place in terms of frequency is taken by offences against life and limb (972 offences with 1,098 motives) and fourth place by offences against liberty (815 offences with 924 motives).

As in the previous year, 5th, 6th and 7th place are distributed in the following order: offences against public peace (245 offences with 336 motives), against honour (208 offences with 247 motives) and against sexual integrity or self-determination (112 offences with 122 motives).

Most offence areas are dominated by one offence. In particular, in the case of criminal offences against life and limb it is bodily harm (around 90 percent),¹⁶ in the case of offences against liberty, dangerous threats (69 percent) and coercion,¹⁷ in the case of offences against honour, insults (90 percent) and defamation,¹⁸ in the case of offences against property, damage to property¹⁹ and theft,²⁰ in the case of offences against public peace, incitement to hatred (76 percent) and terrorist organisations.²¹ Offences against ancillary criminal laws almost only concern the catch-all offence according to § 3g Prohibition Act (national socialist reactivation) or § 3h Prohibition Act (denial, trivialisation, approval and justification of nazi crimes).²²

16 Of these, serious bodily injuries: 9 percent.

17 Incl. aggravated coercion: 18 percent.

18 10 percent.

19 Including serious damage to property: 77 percent.

20 8 percent.

21 15 percent.

22 Section 3g Prohibition Act: 91 percent and Section 3h Prohibition Act: 5 percent.

Criminal Code sections	Bias motives	Criminal offences	Share of attempts	Clearance rate	Suspects	Violent offences	Victims - violent offences
I - Life and limb offences	1.098	972	150	81,2%	1.052	913	997
II – Termination of pregnancy	2	1	2	100,0%	1	-	-
III – Liberty offences	924	815	48	81,2%	789	803	1.002
IV – Honour offences	247	208	2	84,1%	203	-	-
V – Private sphere offences	6	6	-	66,7%	4	-	-
VI – Property offences	1.549	1.422	100	27,1%	542	45	50
VII – Environment offences	9	9	1	55,6%	6	-	-
VIII – Religious peace offences	9	9	1	55,6%	7	-	-
X – Sexual integrity and self-determination offences	122	112	14	88,4%	123	79	91
XII - Reliability of certificates offences	33	33	-	60,6%	24	-	-
XIV – Treason, state attacks	11	11	3	90,9%	11	-	-
XV – State authority attacks	1	1	-	0,0%	-	-	-
XX – Public peace offences	336	245	2	86,9%	246	-	-
XXI – Obstruction of justice	38	37	2	91,9%	42	-	-
XXII – Violation of official duties, corruption	17	15	7	80,0%	26	-	-
XXVI - Ancillary criminal laws	2.377	1.969	4	80,9%	1.788	-	-
Total	6.779	5.865	336	68,3%	4.864	1.840	2.140

Table 2: Bias motives registered by the police and related offences (with proportion of attempts and clearance rate), suspects (natural persons), bias-motivated violent offences and related victims (legal and natural persons); by "offence areas" (sections of the Criminal Code); January to December 2022.

In comparison with all offences and **suspects recorded by the police in 2022**, the typically much lower significance of property offences in the area of bias-motivated crimes becomes evident (Figure 3). Whereas the proportion of offences against ancillary laws is proportionately larger here. In addition, the percentages of offences against liberty, public order, especially incitement to hatred, and honour crimes, are continuously much higher than in total crime.

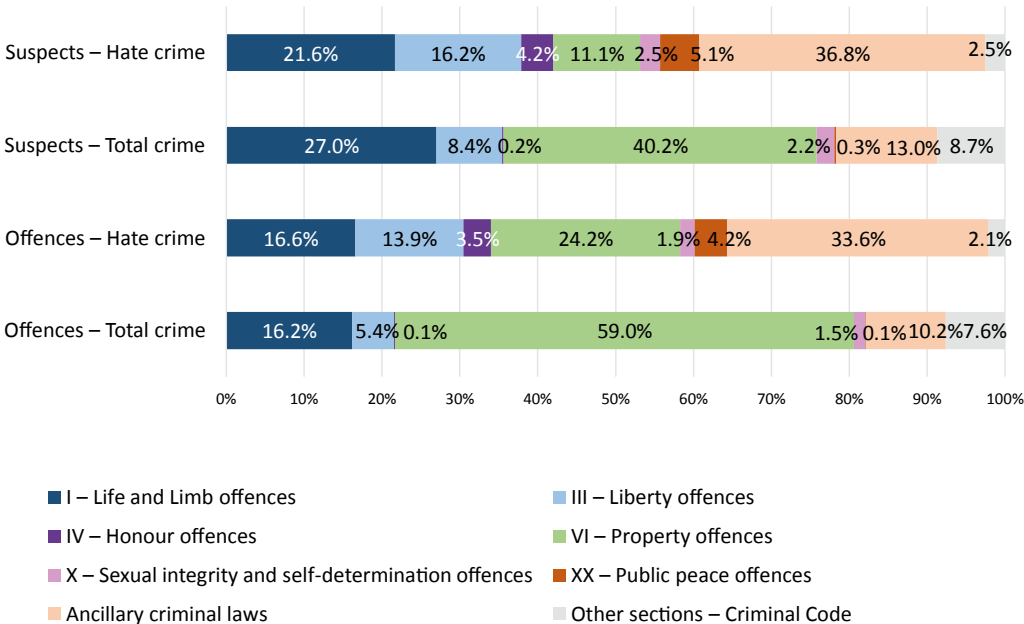


Figure 3: Distribution of "offence areas" (sections of the Criminal Code) for bias-motivated offences and related suspects in comparison with all offences and suspects registered by the police; January to December 2022.

Table 3 breaks down the **bias motives according to the nine categories** as they were registered in the police flagging system. Although the correct numbers of clearance rates, suspects, violent crime offences and victims of violent crime can be evaluated within the rows for each category or characteristic, adding up the values of the individual categories or characteristics does not yield the total number of the respective unit. This is due to the possibility of assigning more than one bias motive category to a crime and thus being able to record the possible multiple involvement of the victims (intersectionality). This is why these totals – unlike in Tables 1 and 2 – are not given here.

In **descending order**, the absolute number of recorded bias motives results in the same ranking from top 1 to 4 as in 2021: "**worldview**", "**national/ethnic origin**", "**religion**" and "**skin colour**". Sexual orientation now ranked ex aequo with skin colour at top 4. This is followed by gender, age, disability and finally social status.

In addition, for five categories further characteristics are recorded, specifically the victim groups or identity characteristics "religion" ("christians", "jews", "muslims", "others"), "sexual orientation" ("bisexuals", "heterosexuals", "homosexuals"), "gender" ("diverse/inter", "woman", "man", "other"²³), "social status" ("homelessness", "other") and "disability" ("physical/sensory impairment" and "mental/cognitive impairment") in descending order of absolute number. The registration "others" always has to be specified in a free text field.

In the case of the most frequent motive "worldview" which increased the most in 2022, since the pilot report 2021 not all recorded expressions "parties", "western democracy" and "others" have been published as such, but the more meaningful evaluation "western democracy (without Prohibition Act)", "Prohibition Act" and "political parties" in order to make right-wing extremism comprehensively visible from the victim's perspective. Separately, other crimes that also signal a rejection of the basic social consensus and the democratic-liberal constitutional state are presented as a motive for rejecting "western democracy". One fifth of the cases concern political "parties" again, as they are often damaged by targeted vandalism (election posters, graffiti on party premises, etc.).

In the third most frequent category, "religion", antisemitic and antimuslim bias motives each account for more or less than a third, and a quarter of the bias motives concerned churches and their believers. "Sexual orientation" – in fourth place like "skin colour" – is mainly a homophobic motive, "gender" in fifth place is dominated by misogyny, and finally "social status" affects not only homeless people but also various other victim groups, e.g. by damaging their status symbols. The second most frequent category, "national/ethnic origin", is not recorded with further details.

23 The detailed review revealed that almost consistently transphobic incidents were recorded here alongside desecrations of the rainbow flag.

Categories/characteristics	Bias motives	Clearance rate	Suspects	Violent offences	Victims - violent offences
Worldviews/ideology	2.466	63,5%	1.818	212	264
Western Democracy (without Prohibition Act)	1.058	72,5%	856	39	49
Prohibition Act offences	863	62,1%	645	100	130
Parties	545	49,3%	317	73	85
National/Ethnic origin	1.968	78,0%	1.891	829	958
Religion	630	64,8%	536	210	247
Jews	225	70,7%	208	19	24
Muslims	202	74,3%	189	127	155
Christians	167	43,7%	101	44	47
Others	36	72,2%	38	20	21
Skin colour	373	83,6%	379	133	152
Sexual orientation	373	61,9%	294	213	244
Homosexuals	305	61,1%	241	172	200
Heterosexuals	37	73,0%	30	19	22
Bisexuals	31	61,3%	23	22	22
Gender	350	76,9%	306	260	289
Woman	266	85,0%	251	216	241
Divers/Inter	35	42,9%	23	23	24
Man	25	52,0%	16	4	5
Others	24	62,5%	16	17	19
Age	241	51,0%	165	70	89
Disability	183	71,0%	161	82	87
Physical/sensory impairment	108	66,7%	81	44	45
Mental/cognitive impairment	75	77,3%	80	38	42
Social status	166	75,9%	161	64	73
Others	127	76,4%	132	43	50
Homeless	39	74,4%	29	21	23
Total	6.779				

Table 3: Bias motives registered by the police, clearance rates, suspects (natural persons), bias-motivated violent offences and related victims (natural and legal persons); ranked by absolute number of categories and characteristics; January to December 2022.

The following **table 4** shows the **five most common intersections of the victim groups**. Similar to 2021, this "intersectionality" of identity factors is predominantly in the context of nationalism, racism, xenophobia and religious hostility. The bias motives "skin colour" and "national/ethnic origin" were documented most frequently by the police officers, the latter also with "worldview", or regularly in combination with "religion". In 2022, a total of 727 offences (2021: 842) with more than one bias motive were registered – 12.4 percent of 5,865 offences in total.

Combination of bias motives	Criminal Offences
Skin colour and National/ethnic origin	152
National/ethnic origin and Worldview	145
National/ethnic origin and Religion,	110
National/ethnic origin	40
Religion and Worldview	39
Total (Offences with several bias motives)	727

Table 4: Crimes registered by the police with multiple bias motives; ranked by five most frequent combinations and total; January to December 2022.

According to **Figure 4**, depending on the **bias motive the proportions of "offence areas"**, i.e. offences against ancillary criminal laws and some sections of the Criminal Code, such as public peace or property of others, differ significantly from the **shares of "confrontational" offences against life and limb, liberty, honour or sexual integrity and self-determination, whereby the distributions from the years 2021 and 2022 are similar.**

Regarding the motive "worldview" offences against the Prohibition Act account for the most, namely half of all registered offences. On the other hand, offences against life and limb, liberty and honour amount to almost 50 percent in the case of "national/ethnic origin", although these bias crimes only characterise one third overall. A strongly increased proportion of offences against public peace, especially incitement to hatred, can be found above all in the case of the bias motives "skin colour", "disability" and "religion", whereby the proportion of honour crimes is highest for "skin colour". In the case of "sexual orientation", a good two thirds are confrontational offences, which mostly manifest themselves as damage to property, assaults and dangerous threats or coercion. The bias motive "gender" is also dominated by almost two thirds of offences against liberty and offences against life and limb. Lastly, "social status" and "age" are clearly dominated by property offences, whereby the proportion of sexual assaults in the latter motive is surprising.

Thus, in the case of bias-related offences with the motives "worldview" the suspects have the most, in the case of "skin colour" and "religion" mostly, indirect contact with the victim groups concerned. On the other hand, offences with the bias motives "sexual orientation", "gender", "national/ethnic origin", "disability", "social status", "religion" and "age" tend to be most frequently committed in a directly confrontational way.

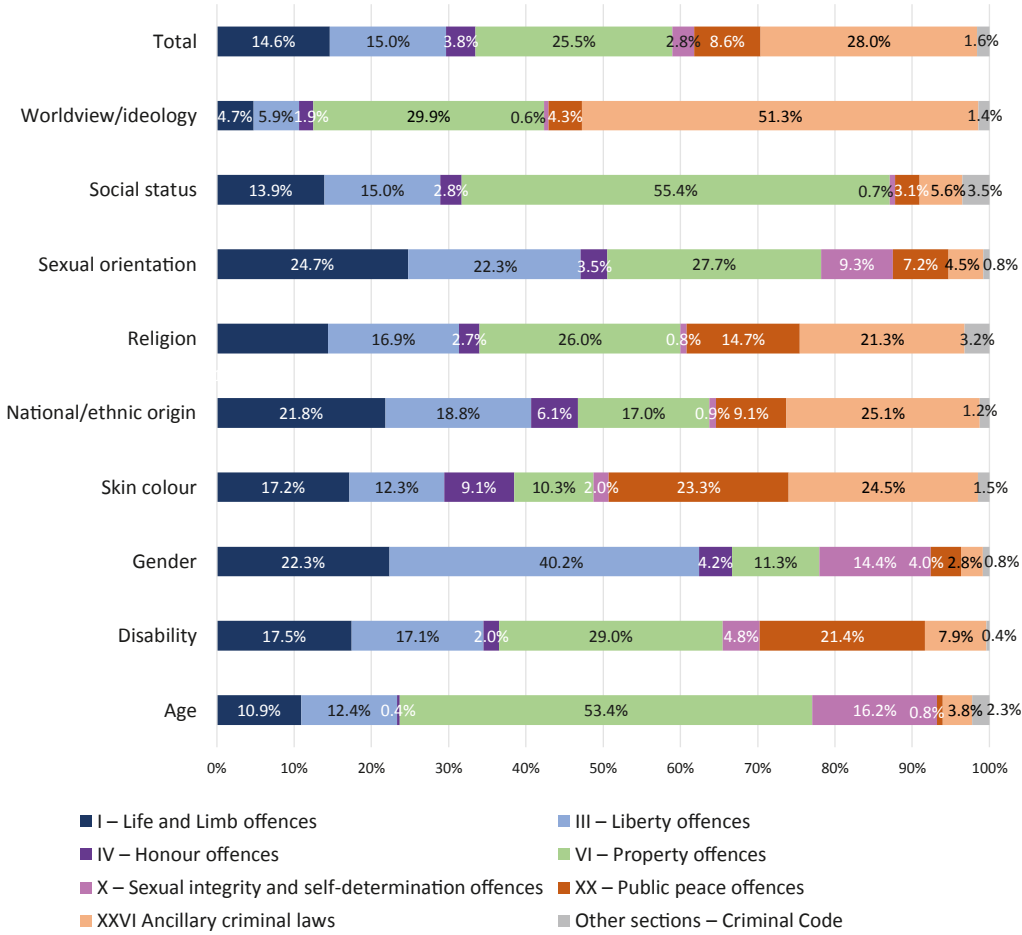


Figure 4: Distribution of "offence areas" in police-registered hate crimes; by categories of bias motives; ranked reverse alphabetically; January to December 2022.

3. Suspects

In comparison with all crime suspects the criminologically typical "age-crime-curve" can be evidenced even more clearly in the case of hate crime in 2022 just as already in 2021, since bias-related crimes are committed more frequently by persons of criminal age and minors aged between 14 and 17. Thus, all crime suspects under the age of 25 account for 42 percent, compared to just under 34 percent for the average of all crimes. In short, more than a quarter of the bias-motivated crimes appears to be youth crime. Young adults (21 to 24 years) and middle-aged suspects (25 to 39) are underrepresented, while the proportion of older suspects is comparable to the proportion of young suspects.

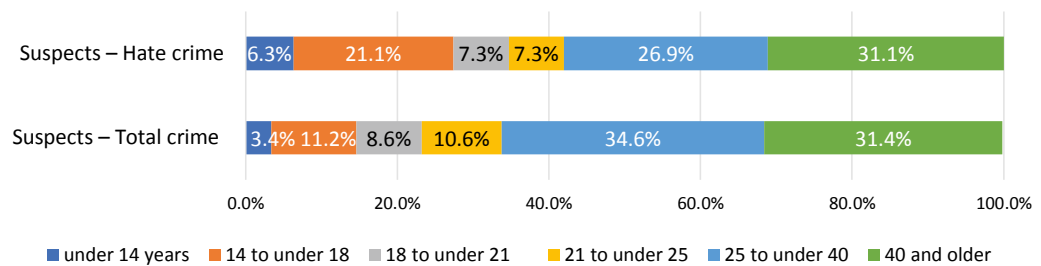


Figure 5: Age distribution of police-registered suspects for bias-motivated crimes and for total police-registered crime in comparison; January to December 2022.

In addition, it should be noted that the **share of foreigners against Austrian suspects in hate crimes (28.5 percent) is lower than their share in overall crime (42.5 percent)**. This share is even more limited for the bias motive "worldview" (18 percent). In addition, it can be noted that the proportion of male suspects in hate crime is slightly higher than in total crime (86 percent compared to 78 percent), irrespective of their nationality.

This is particularly noticeable in the case of antisemitic hate crimes (93 percent). In addition, a higher proportion of domestic suspects (76 percent) is noticeable here. On the other hand, the proportion of foreign suspects is higher for anti-muslim crime (43 percent), similar for the bias motive "gender" (47 percent) and most frequently for anti-christian crime (50 percent). For the motive "sexual orientation" (41 percent), the relative increase is more moderate compared to the above level of total crime.

4. Crime scenes

In the police crime statistics numerous crime scenes are recorded for offences. In Figure 6 the locations of the recorded bias motives which were summarised in the pilot report and in the Annual Report 2021 as the **seven location categories** "public space", "semi-public space", "private space", "sacred site", "institution", "internet" and "other location", were retained, expanded again and their percentages related to the sections of the Criminal Code as well as ancillary criminal laws.²⁴

In the case of offences against life and limb as well as against property of others, public or semi-public scenes of situational violence dominated in 2022 as in 2021 – in relative and absolute terms (around 65 percent – 709 bias motives and 67 percent – 1,042 motives). In the case of property offences, this particularity is mainly due to damage to property at sacred sites, mostly churches, cemeteries and monuments. In the case of offences against liberty, the public dominates to a lesser extent (42 percent – 388 motives) and every fourth crime scene stands out as "private", as is the case with sexual offences. The Internet as a crime location was predominant for offences against public peace, especially incitement to hatred (58 percent - 194 motives) and offences against the Prohibition Act (51 percent – 1,200 motives).

24 The category "semi-public space" was expanded by 4 localities that were additionally selected by the police during data collection in 2022: The category "public space" defines train stations, ATMs, carports/garages, recreational/sports facilities, public places/streets/parking lots, public buildings, public transport/stops, and telephone booths. "Semi-public space" includes clothing shops, shopping centres, electronics stores, factory/industrial buildings/warehouses, airports/airfields, restaurants, financial institutions/banks/post offices, gambling localities, hotels/boarding, houses/accommodation businesses, kiosks, jewellers, museums/exhibitions, multi-storey/underground car parks, political establishments, red-lightlocalities, other buildings, other businesses, supermarkets, petrol stations, and venues. A "private space" is a building site, office, cellar compartment, agricultural property, residential building (single-family/semi-detached/terraced house, apartment complex) and flat. "Sacred site" means monuments/memorials, cemeteries and religious buildings. "Institution" stands for asylums/foreigners' accommodations, detention centres, barracks/military facilities, hospitals/clinics/nursing facilities and schools/educational facilities.

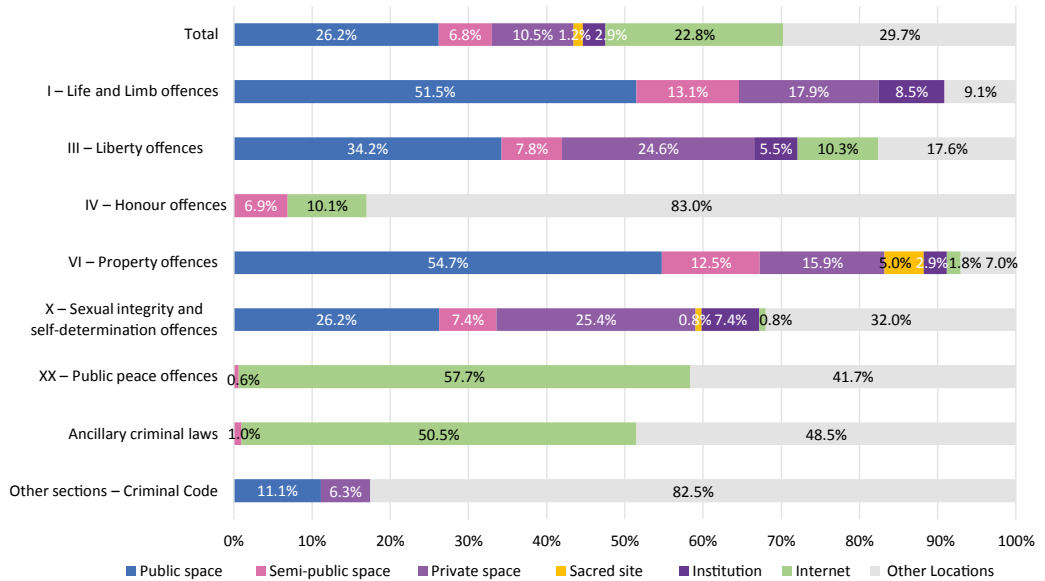


Figure 6: Crime scenes of police-registered bias motives in percent; by "offence areas"; ranked by "public space"; January to December 2022.

Figure 7 shows the recorded crime scenes in percent according to bias motives in all categories and, for the first time for 2022, in all characteristics. The category "public space" was counted most frequently for the bias motive "national/ethnic origin" (610 motives, 31 percent). LGBTQ-hostile bias motives have a more significant percentage here, particularly against "divers/inter" (19 motives, 54 percent), "gender: others" (15 motives, 63 percent), which according to the data can almost be equated with transphobia, and homophobic motives (135 motives, 45 percent). Also worth mentioning here are "worldview: parties" (181 motives, 33 percent), "social status: total" (54 motives, 33 percent) "skin colour" (122 motives, 30 percent) and "social status: homeless" (17 motives, 44 percent). The addition of the semi-public to the public places confirms the respective dominance of these offences.

The crime scene "private space" plays a major role in the bias motives "gender: total" (93 motives, 27 percent), even more clearly in misogyny (84 motives, 32 percent), "age" (57 motives, 24 percent), "disability" (40 motives, 22 percent) and anti-muslim crimes (37 motives, 18 percent) play a special role, twice as often as for hate crimes overall (11 percent). However, the category "public space" also outweighs for these motives (except for "gender: woman").

Concerning antisemitic motives the high proportion of online offences is particularly striking (90 motives, 40 percent). The rate for the crime scene "Internet" is similarly high only for ideological motives that are directed against democratic constitutional values and do not fall under the Prohibition Act (409 motives, 39 percent), which prohibits only against national socialist reactivation. Therefore, these right-wing extremist crimes (264 motives, 31 percent) as well as those because of "skin colour" (115 motives, 29 percent) are relatively clearly above the average online share for bias crime overall (23 percent), which also clearly speaks for fewer direct contacts of the suspects with these victim groups. This is probably due to incitement and antisemitic or racist "memes" that were exchanged in social media or via messenger services.

In the case of anti-christian crime motives, sacred sites are again a prime target, especially for damage to property (48 motives, 29 percent), although this location has decreased in numbers compared to 2021.

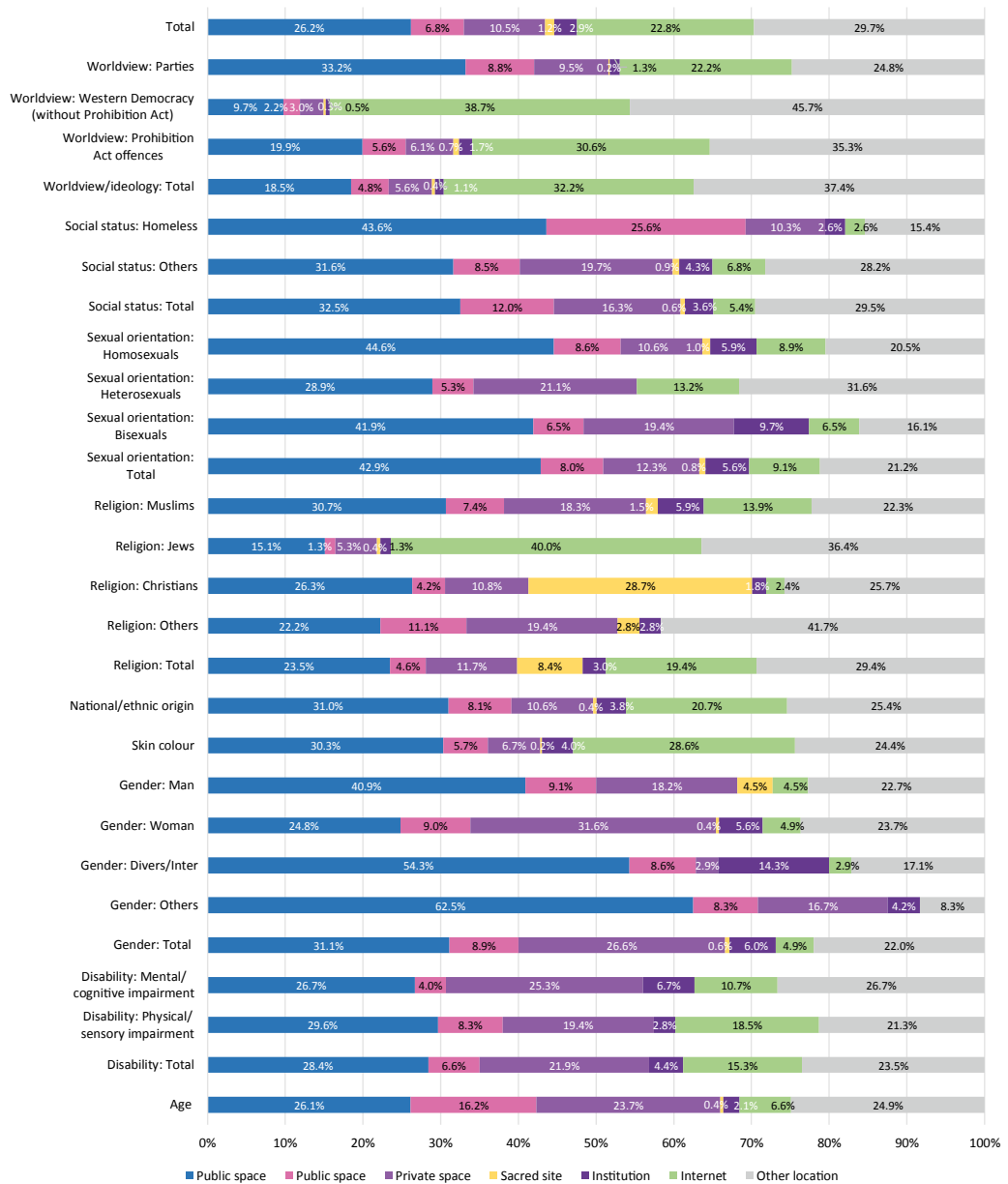


Figure 7: Crime scenes of bias motives registered by the police in percent; according to their categories and characteristics; ranked by "public space"; January to December 2022. List of figures and tables

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