



**HATE
CRIME**

Hate Crime in Austria – Annual Report 2023

English Summary of Key Points

Vienna, 2024

This English Summary is an abbreviated version of the German Annual Report 'Lagebericht Hate Crime 2023' which was published in July 2024. Both reports and other related publications are available for download on the public website of the Austrian Federal Ministry of the Interior (Bundesministerium für Inneres, BMI).

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Summary

Bias-motivated crimes or hate crimes are acts punishable by law that are committed intentionally on the basis of the actual or alleged affiliation of the victim or the object of the offence 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. In addition to the victim, these crimes affect all bearers of the same identity characteristic and possibly the society as a whole (**waves of harm**). 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 for crimes 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 crimes (see chapter 'Criminal law foundations').

Since **August 2020**, the police have been comprehensively trained in recognizing and recording bias motives. On 1 **November 2020**, the 'motive' tab 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 (German: Vorurteilsmotiv – VM)** by means of the 'Electronic Legal Traffic (ERV)' automatically.

¹ *Fuchs, Walter, 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).*

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

On the European Day for Victims of Hate Crime (22 July), the first Hate Crime Annual Report 2021 of the Federal Ministry of the Interior was published in 2022 and the Hate Crime Annual Report 2022 was published accordingly in 2023.² This is the English summary of the **third Annual Report Hate Crime 2023** which was published in July 2024 as well:

In the period from January to December 2023, 5,668 bias-motivated criminal offences were recorded by the police in Austria. Since an offence can have several bias motives, the number of documented bias motives exceeds the total number of criminal offences. In the reporting period, from 1 of January to 31 of December 2023, 6,461 bias motives were documented (2022: 6,779 bias motives in 5,865 offences).³ Only those offences are included whose police investigations have already been concluded.

2 The full German versions (‘Lagebericht Hate Crime 2022’, Jahresbericht 2021) and English summaries are available on the official BMI website: Systematische Erfassung von Vorurteilmotiven bei Strafanzeigen (‘Hate Crime’) (bmi.gv.at). Please note that the numbering of the figures and tables of the English summaries are not consistent with the extended German versions.

3 See figure 3.

The key results are:

- In the period from January to December 2023, **5,668 bias-motivated criminal offences** were recorded by the police in Austria. A total of **6,461 bias motives** were documented during the reporting period. In 2023, **71 bias motives were documented with 63 offences per 100,000 inhabitants** in Austria (similar to 2022).
- In 2023 (2022), the **nine bias motives** were recorded in the following order of frequency: **'worldview' 2,706 (2,466)**, **'national/ethnic origin' 1,612 (1,968)**, **'religion' 700 (630)**, **'sexual orientation' 446 (373)**, **'skin colour' 293 (373)**, **'gender' 248 (350)**, **'age' 176 (241)**, **'disability' 144 (183)** and **'social status' 136 (166)**.
- The overall **clearance rate of 69 percent** within the recording period is above the average for crimes recorded in the 2023 **Police Crime Statistics (Polizeiliche Kriminalstatistik – PKS)**.
- In 2023, the share of **property offences** within bias-motivated offences is **less than half** of that share in the **total number of reported offences**, with bias-motivated crimes being predominantly **property damages**. The proportion of offences against ancillary laws, in particular the **Prohibition Act**, is for hate crimes always **far greater** compared to the total crime. The markedly **increased percentage of freedom offences, public peace offences**, in particular incitements to hatred, and **honour offences** is also significant.
- In 2023, a **quarter** of all bias motives was recorded in **'public space'** (1,627 VM) and a **fifth** in the **'internet'** (1,221 VM); 542 motives (**8 percent**) were registered in **'private space'** and 442 motives (**7 percent**) in **'semi-public space'**.
- For **'public space'**, in absolute terms, **'national/ethnic origin'** (550 VM) **precedes 'worldview', 'sexual orientation' and 'religion'**. Every **second homophobic or anti-divers/inter** bias motive was found to be **public**, as well as **40 percent of the motives against parties and anti-muslim motives**.
- In the **semi-public space**, **144 motives of 'national/ethnic origin'** precede **'worldview', 'sexual orientation' and 'age'**. The first two listed motives contribute with a quarter respectively a third to the total amount.
- In **private spaces**, **168 motives of 'national/ethnic origin'** were recorded followed by the motive **'worldview'**. Every **third anti-women motive, every fifth age-related** and every sixth motive based on a rejection of a disability were recorded in the **private space**.
- In 2023, **three quarters of all hate postings⁴** were violations of the **Prohibition Act** (920 VM). One **sixth of the total number of hate crimes committed on the**

4 The term 'hate postings' used in this report covers all crimes with a bias motive that are committed on the internet.

internet were public peace offences, mostly incitements to hatred and offences relating to terrorist groups (201 VM). **792 motives of ‘worldview’** (29 percent) were counted, especially in the case of violations of the **Prohibition Act** (721 VM). Online, **188 motives of ‘national/ethnic origin’** and **92 motives of ‘religion’**, were **67 anti-semitic motives** were predominant, were recorded. Thus, **three out of four anti-religious hate postings are anti-semitic**.

- Almost **every second motive** counted in **private space** is a **crime against property**, usually damage to property. Bias-motivated offences on **‘sacred sites’** (74 VM) are in **99 percent property damages**, of which 57 are anti-religious (**51 anti-christian**) motives.
- In the case of **‘institutions’**, most of the bias motives are recorded for ‘life and limb offences’ (88 VM; 42 percent), followed by **property offences and liberty offences**. Here, **210 motives** were recorded above all for **‘national/ethnic origin’** before ‘religion’, with **‘muslims’** being particularly affected (46 percent). Regarding offences with the motive **‘worldview’**, the **suspects** have the **least direct contact** with those affected, as **substantiated** by the dominance of **violations of the Prohibition Act and incitements to hatred**. More than **90 percent of ‘confrontational’ crimes** against life and limb, liberty, honour or sexual integrity and self-determination in the **immediate sphere** of the victims are related to **‘gender’ and ‘age’**, more than **80 percent** are related to **‘disability’ and ‘sexual orientation’**, more than **70 percent** are related to **‘national/ethnic origin’** and **‘social status’** as well as more than **60 percent** for **‘skin colour’** and **‘religion’**.
- As in previous years, **situational violence** in hate crimes **dominates** regarding offences against **life and limb** and against **property**, as **two thirds** of them have been registered as **public or semi-public crime scenes**. Overall, 82 percent of the bias motives recorded in the public space and 69 percent of the bias motives recorded in the semi-public space related to these two offence areas.
- Compared to the **total number of suspects** (Police Crime Statistics [Polizeiliche Kriminalitätsstatistik – PKS] 2023), bias-motivated crimes **were more likely to involve children under the age of criminal responsibility and minors with criminal responsibility**, they were more often male than in PKS 2023 (85 percent compared to 77 percent) – data as in previous years. This **‘male perpetration’** was particularly pronounced in the case of hate crimes against **homeless people (95 percent)**, **homophobia (90 percent)**, **rejection of women, non-binary gender identities, and western democracy and parties**.

- Regarding the proportion of suspects with foreign citizenship, the picture in 2023 is differentiated: The **share of 28 percent for hate crimes** is **far lower** than for total crime with 46 percent, foreign suspects were registered for every second bias motive due to age, misogyny and muslim hostility.
- As for the motive 'age' property, offences dominate in the **case of 'physical/sensory impairment'**. In the case of **mental/cognitive impairment 42 percent** of all recorded offences occurred in a personal context, **especially assaults and dangerous threats**.
- The motive '**divers/inter**' was mainly committed in **public spaces**, one in four was registered for **property damages** and one in five for **assaults**. In the case of **misogynistic offences**, **private crime scenes** predominate and one fifth each were **dangerous threats or assaults**, followed by **insults**.
- Racism based on '**skin colour**' was mainly registered as **assaults, incitements to hatred**, violations of the **Prohibition Act**, property damages and insults.
- A quarter of the '**national/ethnic origin**' motives are registered with **assaults** or violations of the **Prohibition Act**, followed by **dangerous threats**, property damages and incitements to hatred.
- In the category, '**religion**', **anti-semitism** predominates over **anti-muslim hatred**. Every **second anti-semitic** offences was a violation of the **Prohibition Act**.
- '**Muslims**' were mainly targeted by **assaults, property damages and dangerous threats**, with **54 percent** of the suspects being **non-Austrian citizens**.
- Of all the bias motives, '**sexual orientation**' **increased the most, with 20 percent** compared to the previous year. This increase is due to the increased registration of **homophobic motives**. In particular, **property damages, assaults and dangerous threats** were registered.
- In **2023** under '**social status**' **thefts and assaults** were recorded **against 'homeless'** in particular. 'Others' were dominated by property damages and dangerous threats.
- In the case of the motive '**worldview**', violations of the **Prohibition Act** are the **most common offense** in all three forms of 'western democracy', 'others' and 'parties'. **Property damages** are in **second place** for '**western democracy**' and '**others**', and regarding the motivated '**parties**' in **first place**.

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 ODIHR⁵ (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 offences 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. 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 recognizing 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.⁶ 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.⁷

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

6 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.

7 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.

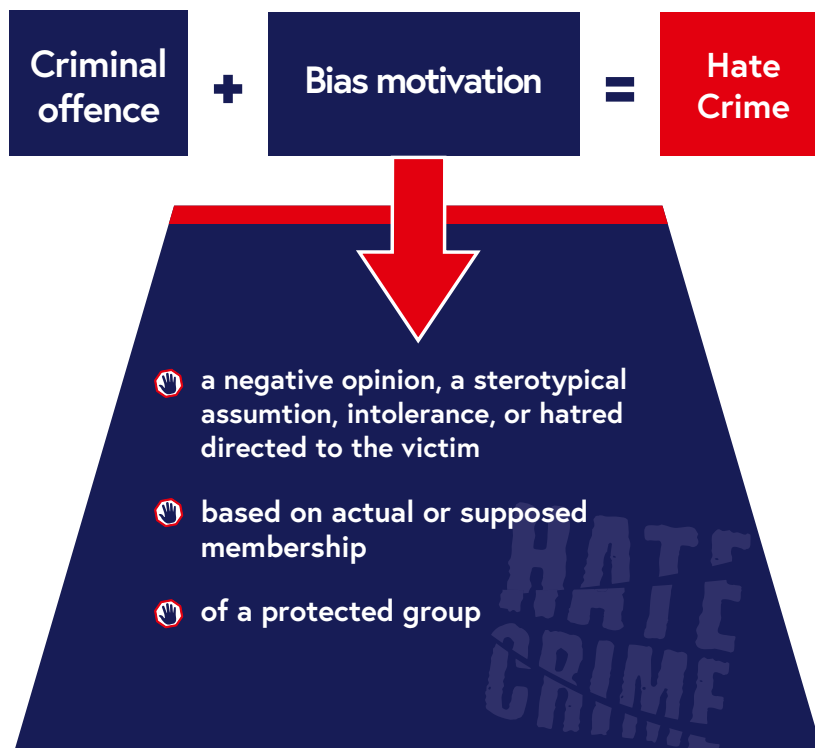


Figure 1: Monitoring definition of hate crime.

The rejected groups 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)⁸ and are particularly protected under criminal law – especially by listing them in the offence of incitement (§ 283 of the Criminal Code). However, 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 neighbors 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 recognize bias-motivated crimes and to record them in police data processing systems.⁹

8 The social position typically relates to marginalized 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 recognized or prosecuted by criminal law according to other stipulations (e.g. police officers).

9 The training programme of the Federal Ministry of Justice has also adopted this definition as of mid-2021.

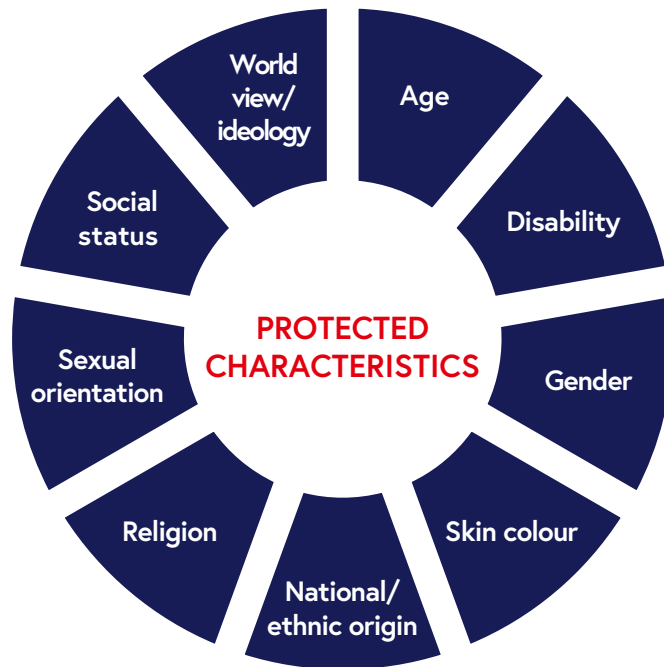


Figure 2: Victim groups – criminally protected identities.

Bias indicators were formulated for the investigative work of the police. These indicators were encapsulated as the acronym 'ERNST' (German: serious) and are comprehensibly summarized:

'Hate crime is SERIOUS and we take them SERIOUSLY. We identify and record them.'

The five letters are:

- E... stands for 'impressions of the victim' ('Empfindung').
- R... stands for 'space and time' ('Raum und Zeit').
- N... stands for 'negative messages by the perpetrators' ('Negative Botschaften der Täter').
- S... stands for 'seriousness of the act' ('Schwere der Tat').
- T... stands for 'perpetrator' ('Täter').

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 2003.¹⁰ Hate crimes in Austria, in addition to specific offences such as hate speech and those in the (anti-nazi) Prohibition Act, are generally recognized 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,¹¹ if the additional requirements are met.¹²

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 recognized. But this list is not formulated exhaustively.

10 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.

11 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.'

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

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 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 authorizes the police to prosecute (sect. 117 para. 3 Criminal Code, sect. 92 Code of Criminal Procedure).¹³

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 offence. 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).¹⁴

¹³ 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.

¹⁴ 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).

Activity report

The BMI is aware of its responsibility to use the data collected through the systematic recording of bias-motivated crimes specifically for data-based prevention work. In addition, the necessary internalization of the victim-centered approach is being deepened continuously. Various tools are available for an internal knowledge transfer, which not only address problem areas that arise when dealing with hate crime cases, but also enable the consideration of an identified content in exchange with external experts and civil society organizations/practitioners. Within the BMI, all related units and specialist departments work closely together to improve victim protection.

In order to achieve the best possible support for victims of hate crimes, numerous (inter) national cooperations and networking activities with external stakeholders exist.

In the context of these cooperations the following events and initiatives stand out for 2023:

Diagnostic Workshop ODIHR on Assessing Structures and Services for Hate Crime Victim Support in Austria (January 2023)

In cooperation with the BMI department III/S/1 (Fundamental and Human Rights) the OSCE Office for Democratic Institutions and Human Rights (ODIHR) held a one-day workshop on the premises of the BMI. Participants included representatives from the Federal Ministry of Justice (BMJ), the Public Prosecutor's Office (Vienna), the crime prevention units of various LPDs and civil society organizations such as WEISSER RING, Verein NEUSTART, ZARA, the antidiscrimination offices from Vienna and Styria and the Israelitische Kultusgemeinde Vienna. Diagnostic workshops are offered by ODIHR and serve to deepen national authorities' understanding of the interaction between law enforcement authorities and victim organizations in order to achieve improvements for victims of hate crime at all levels. Following a detailed analysis of online questionnaires completed by representatives of national authorities the two main focal points of the meeting were respectful, sensitive treatment of victims as well as needs assessment and referral of victims of bias-motivated crimes.

Delegation visit from Baden-Württemberg on Hate Crime and Hate Speech (March 2023)

During the two-day delegation visit from Baden-Württemberg the phenomena of hate crime and hate online were discussed by Austrian and German experts of the Baden-Württemberg Task Force against hate crime and hate speech from the perspectives of investigation, prosecution, prevention, data collection, training initiatives at the police and judiciary and cooperation between the state and civil society.

Round Table with BMJ, BMI & LGBTIQ+ community (June 2023)

In accordance with the resolution of the National Council 267/E XXXVII.GP of 13 October 2022, a round table against hate crimes targeting the LGBTIQ+ community was organized by the BMI in cooperation with the BMJ. After a preliminary analysis of the data, the round table was used to develop measures against hate crimes together with representatives of the LGTBIQ+ community throughout Austria. The BMI also facilitated exchanges with the Office for Crime Prevention and Victim Support of the Federal Criminal Police Office and the Head of the Diversity Unit of the LPD Vienna. The results were presented subsequently to the members of the parliamentary LGBTIQ+ intergroup. As a result, on 1 January 2024, the new selection option 'Trans' within the bias motive 'gender' was introduced in the police logging programme in order to implement an important demand, but also in order to professionalize further the investigative work making hate crimes against this victim group more visible.

Expert meeting on public campaigns on Hate Crime and Hate Speech, experiences and evaluation (November 2023)

As part of an EU-funded project, the BMI organized a two-day workshop on public campaigns on hate crime and hate speech, experiences and evaluations with the participation of 24 representatives from 15 EU Member States, Norway, the UK, of the EU Fundamental Rights Agency, the Council of Europe, the EU Commission and key stakeholders from research and NGOs. Especially dos and don'ts were discussed in the planning, selection of target groups and media, the use of public-civil society partnerships and the evaluation of campaigns. The contents of the conference as well as factsheets on campaigns and initiatives by EU Member States were gathered and edited by BMI and they are being published by the EU in order to make these findings on the strengths, opportunities, weaknesses and risks accessible to a broad audience and to strengthen the Europe-wide fight against hate speech and hate crime.

Other:

In addition, the following events/initiatives took place in 2023, mostly they are held on a regular basis:

- 'Stop Hate Crime!' training session – Dealing with bias-motivated crimes' via the training programme of the Austrian Integration Fund (ÖIF)
- Cooperation with the Israelitische Kultusgemeinde (Jewish Community, IKG) at the level of a Memorandum of Understanding on preventive cooperation within the framework of a security partnership¹⁵
- Cooperation as a member of the Counter Hate Crime Network
- Member of the No Hate Speech Committee

- Exchange and networking as a member of the European Commission's High Level Group on Combating Hate Speech and Hate Crime
- Exchange as National Contact Point for the OSCE Office for Democratic Institutions and Human Rights (ODIHR)
- Exchange and networking as a member of the European Facing Facts Network
- Europol National Contact Point Hate Crime/Hate Speech
- Participation on the annual round table of the LGBTIQ+ community, the antidiscrimination office Vienna with police contact units in Vienna
- Lectures at police schools in other countries on bias-motivated crimes.

Announcement for 2024:

From October 2023 to October 2025, the department III/S/1 conducts a quantitative and qualitative study with the Institute for Advanced Studies (IHS) on police bright and dark field and to analyze possible preventive measures against hate crime and hate speech, financed by the Austrian Research Promotion Agency (FFG).

From September 2024 to April 2025 the department III/S/1 is developing a guide for the High Level Group of the European Commission on Combating Hate Speech and Hate Crime together with eminent international experts in order to support national authorities in planning, conducting and evaluating public campaigns against hate speech and hate speech and for a greater social cohesion.

Police-recorded Hate Crimes in 2023

This **third Hate Crime report 2023** presents the police-collected data on bias-motivated crimes in the period from January to December 2023, with additional aspects added to the data analysis this year. The data is part of the **Police Crime Statistics (Polizeiliche Kriminalitätsstatistik – PKS)**, so that only those offences whose police **investigations** have already been **completed** are included. The decisive factor is the date on which 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 with the time of the criminal complaint. Therefore, offences suspected of being bias-motivated and still under investigation cannot be included in these statistics.

The basic characteristics of PKS also apply to the data presented: As **statistics on crime reports** they are not a complete and objective 'barometer' of the public security situation. Their content depends largely on the reporting behavior of the population, but also on the investigation and documentation practices of the police. Furthermore, no statements can be made about the further outcome of the criminal proceedings.

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

1. Overview and regional distribution

In the period from January to December 2023, **5,668 bias-motivated crimes** were recorded by the police in Austria. This represents a small decrease of around 3.5 percent compared to 2022 (5,865). Since several bias motives can be assigned to one offence, the number of documented bias motives is at least equal or greater than the total amount of criminal acts with a bias motive.

A total of **6,461 bias motives were documented** in this recording period, which is only 4.6 percent less than in 2022 (6,779).¹⁶ Since bias motives always refer to the crime as a whole and more than one suspect per crime can be documented, the bias motives cannot be clearly assigned to individual offenders.

Table 1 breaks down bias motives (VM) and offences by province and it also contains the shares of attempted and solved offences. In absolute terms, most bias motives and bias-motivated crimes were again recorded in Vienna, Lower Austria and Upper Austria, the two latter showing a slight increase compared to 2022. This top group can also be found in

the categories of suspects, violent offences and their number of victims. Victims are only recorded in the case of 'violent offences'. This general category of PKS covers only certain facts of the Criminal Code¹⁷. These statements also apply to the following tables or figures.

	Bias motives	Criminal offences	Share of attempts	Clearance rate ¹⁸	Suspects	Violent offences	Victims – Violent offences
Burgenland	168	145	3	83.4%	129	18	19
Carinthia	403	327	9	82.0%	356	60	67
Lower Austria	1,068	955	41	67.4%	788	230	270
Upper Austria	1,031	885	23	76.3%	797	204	228
Salzburg	502	445	19	75.7%	372	114	122
Styria	752	691	27	75.8%	647	153	176
Tyrol	442	390	18	76.2%	360	111	136
Vorarlberg	263	226	17	87.6%	220	86	123
Vienna	1,832	1,604	127	51.6%	996	618	727
Total	6,461	5,668	284	68.7%	4,665	1,594	1,868

Table 1: Bias motives registered by the police and related offences (with a share of attempts and clearance rate), suspects (natural persons), bias-motivated violent offences and related victims (natural and legal persons); by province; January to December 2023.

For the first time, multi-year comparisons are included in the current annual report in order to depict the (dis-)continuities of the police coverage.

Figure 3 below illustrates a great consistency from the beginning in the recording of bias motives, offences (including attempts), suspects, violence offences and their recorded victims. **Figure 4** shows the quantitative recording of bias motives broken down by province for the

17 Violent crime: § 75 StGB (murder), § 76 StGB (manslaughter), § 77 StGB (killing on request), § 78 StGB (aiding suicide), § 79 StGB (infanticide), § 82 StGB (abandonment), § 83 StGB (assault), § 84 StGB (serious assault), § 85 StGB (assault occasioning grievous bodily harm), § 86 StGB (assault causing death), § 87 StGB (serious assault with direct intention), § 91a StGB (attack on public transport workers), § 92 StGB (torture or neglect of persons under the age of 14, younger, or vulnerable persons), § 93 StGB (overexertion of persons under the age of 14, younger, vulnerable persons or invalids), § 99 StGB (deprivation of liberty), § 100 StGB (kidnapping of a mentally impaired or vulnerable person), § 101 StGB (kidnapping of a person under the age of 14), § 102 StGB (kidnapping of ransom), § 103 StGB (transfer to a foreign power), § 104 StGB (slavery), § 104a StGB (human trafficking), § 105 StGB (coercion), § 106 StGB (serious coercion), § 106a StGB (forced marriage), § 107 StGB (dangerous threat), § 107a StGB (persistent stalking), § 107b StGB (persistent use of force), § 107c StGB (cybermobbing), § 131 StGB (theft involving violence), § 142 StGB (robbery), § 143 StGB (aggravated robbery), § 144 StGB (extortion), § 145 StGB (Aggravated extortion), § 201 StGB (rape), § 202 StGB (sexual coercion), § 205 StGB (sexual abuse of a vulnerable or mentally impaired person), § 205a StGB (violation of sexual self-determination), § 206 StGB (serious sexual abuse of persons under the age of 14), § 207 StGB (sexual abuse of persons under the age of 14) § 217 (transnational prostitution trafficking), § 218 StGB (sexual harassment and public sexual acts).

18 Clearance rate: A crime is considered to be 'clarified' if the police can identify a suspect to the public prosecutor's office.

reporting years 2021 to 2023, with only a slight change in the rankings. Only Vienna's gap to the others widened.

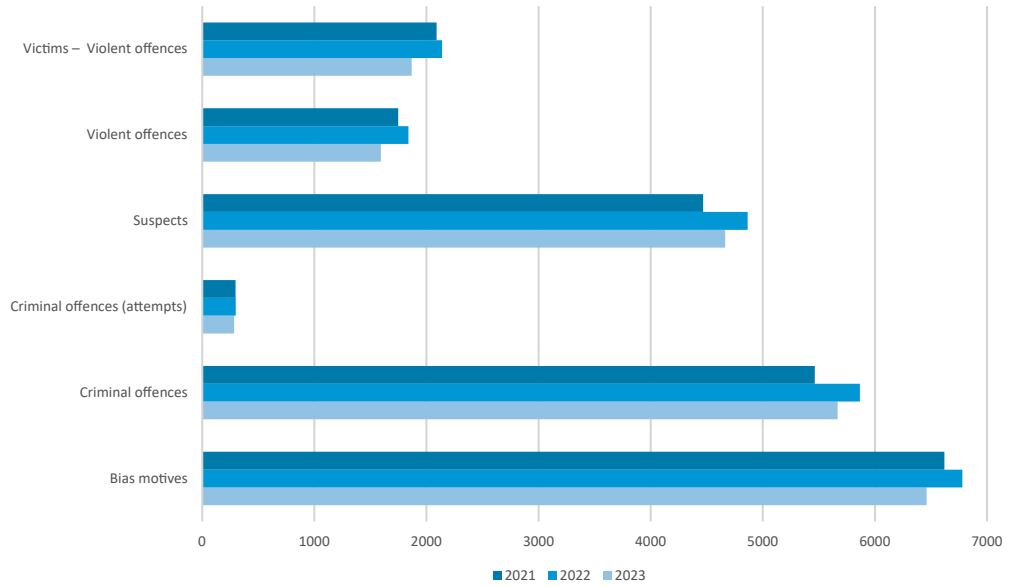


Figure 3: Comparison of police-registered bias motives, suspects (natural persons), bias-motivated violent offences and related victims (legal and natural persons) by reference years 2021, 2022 and 2023; January to December.

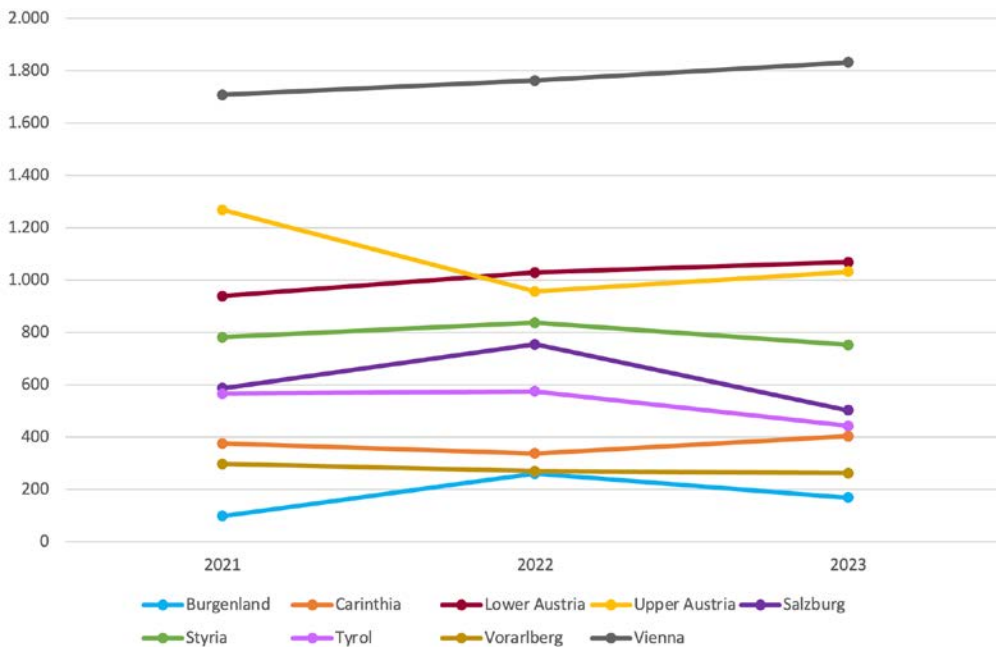


Figure 4: Comparison of police-registered bias motives by provinces and reporting years 2021, 2022 and 2023; January to December.

2. Bias motives, forms and offence areas

Table 2 provides a breakdown of documented bias motives (German: Vorurteilmotive – VMs), offences, attempts, clearance rate, suspects, violent offences and their victims by **sections of the Criminal Code and ancillary laws ('offence areas')** reflecting the protected legal interests infringed by hate crimes. As in 2021 and 2022, the **overall clearance rate** for hate crimes of **68.7 percent is higher** than the clearance rate of the **police crime statistics** for overall crime in Austria (PKS 2023: 52.3 percent).

As in the previous year, the registration of **offences against 'ancillary criminal laws'** increased in 2023 with **2,006 offences** compared to the previous year (2022: 1,969 offences), mainly including violations of the Prohibition Act and incitements to hatred. The registration of **bias-motivated property offences** decreased with **1,393 offences** (2022: 1,422 offences).

In general, the number of bias-motivated offences (as well as the number of VMs counted) for (almost) all sections of the Criminal Code has decreased compared to the previous year,

only in the area of ‘**public peace offences**’ in fifth place there was a significant **increase with 340 offences with 472 motives** (2022: 245 offences at 336 VM), as in the previous year, in 3rd place **life and limb offences (843 offences with 925 motives)** and in 4th place **liberty offences (699 offences with 771 motives)**.

In 2023, **most offences are dominated by one type of offence**, with a similar prevalence across the board as in 2022. In particular, in the case of criminal acts against life and limb, **assaults** (approximately 92 percent)¹⁹, in the case of freedom offences, **dangerous threats (72 percent) and coercions**²⁰, in the case of honour offences, **insults (92 percent) and defamation**²¹, in the case of property offences, **property damages**²² and **thefts**²³, in the case of public peace offences **incitements** (75 percent) and offences relating to **terrorist groups**.²⁴ Offences against ancillary criminal laws relate almost exclusively to the **catch-all offence section 3g of the Prohibition Act** (national socialist reactivation) and to section 3h of the Prohibition Act (denial, trivialization, approval and justification of nazi crimes).²⁵

Criminal Code Sections	Bias motives	Criminal offences	Share of attempts	Clearance rate	Suspects	Violent offences	Victims – violent offences
I - Life and limb offences	925	843	126	78.9%	879	798	876
III – Liberty offences	771	699	33	80.4%	630	698	857
IV – Honour and reputation offences	241	208	1	88.5%	205		
V – Private sphere offences	14	13	1	53.8%	9		
VI – Property offences	1,519	1,393	91	29.2%	533	49	82
VII – Environment offences	11	8	4	50.0%	5		
VIII – Religious peace offences	20	19	0	57.9%	17		
X – Sexual integrity and self-determination offences	85	72	4	87.5%	72	49	53
XII - Reliability of certificates offences	15	15	0	53.3%	10		
XIV – Treason, state attacks	10	10	0	90.0%	55		
XV – State authority attacks	1	1	0	100.0%	4		
XX – Public peace offences	472	340	6	87.4%	327		

19 Of this amount, 7 percent are serious assaults:

20 Incl. heavy coercion: 17 percent.

21 8 percent.

22 Incl. serious property damages: 78 percent.

23 8 percent.

24 13 percent.

25 Section 3g Prohibition Act: 90 percent and Section 3h of the Prohibition Act: 5 percent.

Criminal Code Sections	Bias motives	Criminal offences	Share of attempts	Clearance rate	Suspects	Violent offences	Victims – violent offences
XXI – Obstruction of justice	23	22	0	100.0%	27		
XXII – Violation of official duties, corruption	18	17	13	94.1%	19		
XXIV – Interference with the relations to a foreign country	2	2	0	100.0%	6		
Ancillary criminal laws	2,334	2,006	5	81.5%	1,867		
Total	6,461	5,668	284	68.7%	4,665	1,594	1,868

Table 2: Police-registered bias motives and related offences, (with share of attempts and clearance rate), suspects (natural persons), bias-motivated violent offences and related victims (legal and natural persons); according to ‘offence areas’ (sections of the Criminal Code and ancillary criminal laws); January to December 2023.

Compared with all criminal offences recorded by the police (including attempts) and **suspects** in 2023 (**figure 5**), the typically **much lower significance of property offences** in the area of bias-motivated crimes becomes clear (**25 percent compared to 61 percent**).²⁶ Conversely, the proportion of **offences against ancillary laws** (almost exclusively against the Prohibition Act) is significantly **higher for bias-motivated crimes** than for total crime (35 percent compared to 9 percent). In addition, the percentage of offences against liberty (12 percent versus 5 percent), offences against public peace (6 percent versus 0.1 percent), especially incitements to hatred, and honour offences (4 percent versus 0.1 percent) has always been far higher than in the total crime rate since the start of the recording in 2020.²⁷

26 In the entire report percentages are mostly rounded for the sake of readability, otherwise the figures are accurate to one decimal place.

27 In contrast to the security report, the number of suspects in this report always includes minors under the age of 14 (the age of criminal responsibility).

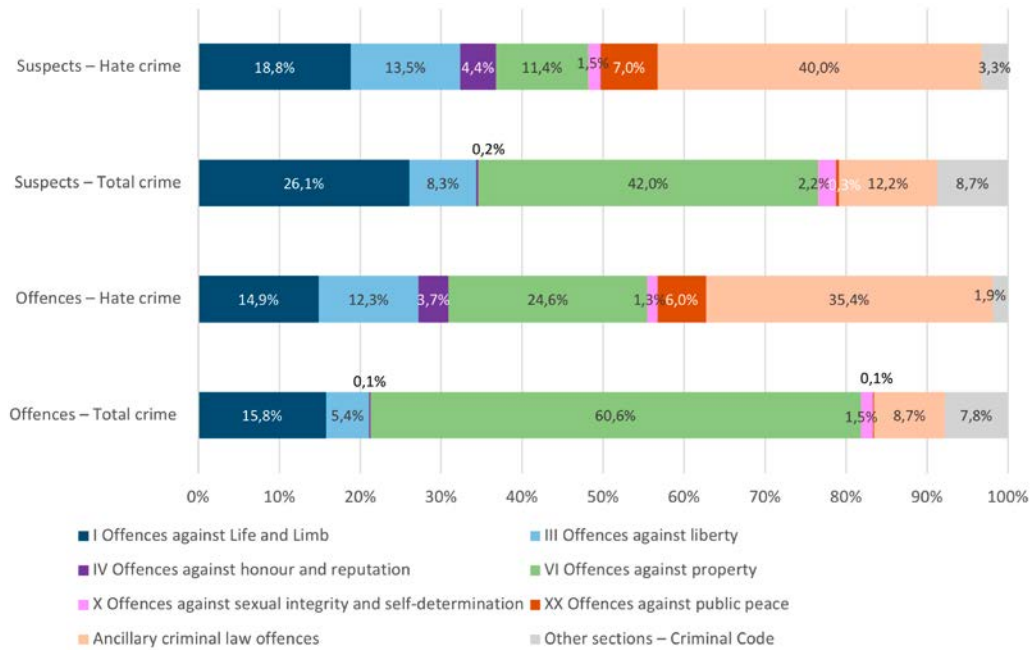


Figure 5: Distribution of 'offence areas' for bias-motivated offences and related suspects compared to all police-registered offences and suspects; January to December 2023.

Table 3 breaks down the bias motives by the nine categories as registered in the police logging programme (PAD) 2023. Although the correct figures for clearance rate, suspects, violent offences and their victims can be evaluated within the lines for each category and its forms, the sum of the categories/forms does not result in the total number of the respective unit. This is based on the possibility of assigning more than one bias motive to a crime and thus being able to record the possible multiple involvement of victims (intersectionality). Therefore, unlike in tables 1 and 2, the totals (except those of the bias motives) are not shown here.

In descending order according to the absolute number of bias motives gives the ranking from top 1 to 4 is the same as in 2022 and 2021: 'worldview', 'national/ethnic origin', 'religion'; only 'sexual orientation' is now clearly in 4th place and 'skin colour' in 5th place. They are followed by 'gender', 'age', 'disability' and 'social status' as in the previous year. This general continuity is illustrated by the following figure 6, which shows the quantitative development of the recorded bias motives after these three recording years. What is particularly striking here is the steady increase of the most common bias motive 'worldview' over the other motives. The numbers of the motive 'religion' and 'sexual orientation' also increased 2023.

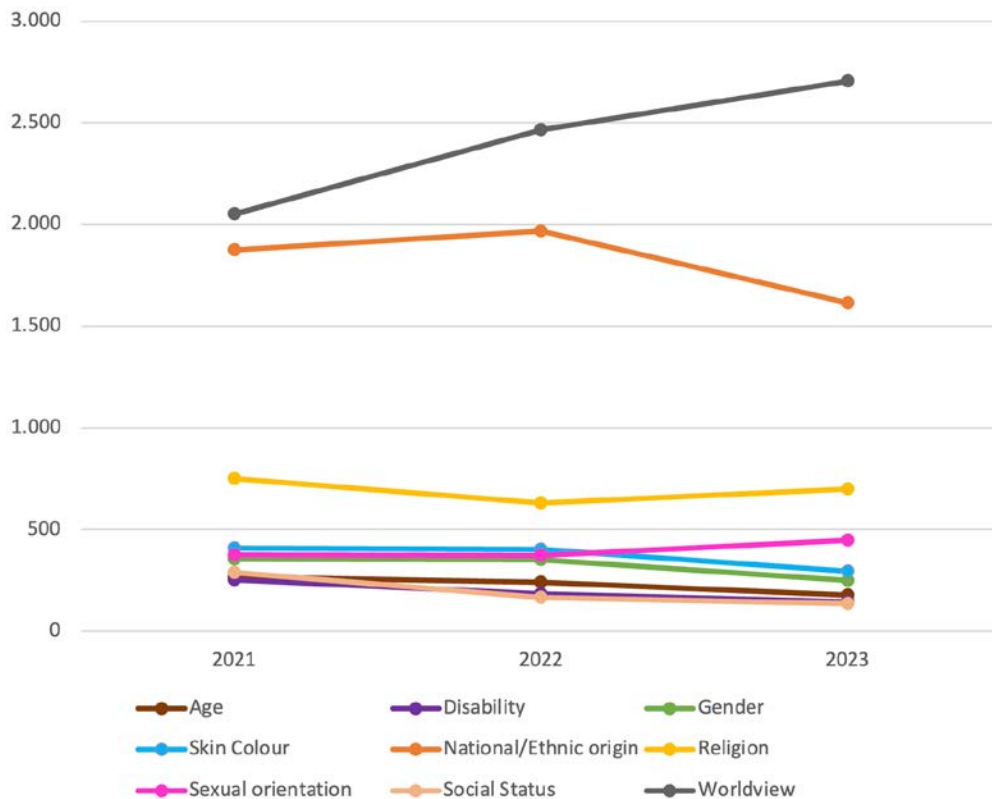


Figure 6: Comparison of police-registered bias motives, ranked by absolute number of categories and forms and reference years 2021, 2022 and 2023.

In six of the nine motive categories, subgroups/forms have been recorded since 2020:

For the victim group ‘religion’ (‘christians’, ‘jews’, ‘muslims’, ‘others’), ‘sexual orientation’ (‘bisexuals’, ‘heterosexuals’, ‘homosexuals’), ‘gender’ (‘divers/inter’, ‘woman’, ‘man’, ‘others’²⁸), ‘social status’ (‘homelessness’, ‘others’) and for ‘disability’ (‘physical/sense impairment’ and ‘psychological/cognitive impairment’) listed in descending absolute order. ‘Others’ should always be specified by the police in a free text field.

Since the 2021, pilot report the **most common motive is ‘worldview’ (plus 240 VM, 10 percent)** and it increased again in 2023. In addition, not only all its recorded forms **‘political parties’ (400 VM, 14.8 percent)**, **‘western democracy’ (1,700 VM, 62.8 percent)** and **‘others’ (606 VM, 22.4 percent)** have been published, but also the dominance of the

28 Since January 2024, trans identity/transgender is recorded separately as ‘trans’.

recorded offences under the **Prohibition Act** has been showed. **The Prohibition Act** criminalizes National Socialist (re-)activation and has constitutional status in Austria since 1947. The last amendment came into force on January 1, 2024.

About two thirds of all 2706 bias motives in the category ‘worldview’ relate to violations of the Prohibition Act (1,756 motives); Of these, **1,305 are classified as ‘western democracy’, 318 as ‘others’ and 133 as ‘parties’.**²⁹

Table 3 also shows 395 bias motives for the form ‘western democracy (without violations of the Prohibition Act)’. This makes it clear that actions that signal a rejection of the basic social consensus and the democratic-liberal constitutional state also occur outside of the Prohibition Act. Without reference to the Prohibition Act, 267 motives were counted for the form ‘parties’ and 280 motives for ‘others’. The bias motives recorded and presented here always focus on the **victim’s perspective**, i.e. the rejected and protected group or the protected democratic values (e.g. by rejecting equal treatment of women). This perspective differs from that in report of the State Protection and Intelligence Directorate (Direktion Staatsschutz und Nachrichtendienst – DSN), where the focus is placed on the (extremist) affiliation of perpetrators, and thus leads to a different counting method.³⁰

For the **third most common category ‘religion’**, which was recorded 11 percent more frequently in 2023 with **700 motives** (2022: 630), each still accounts for around one third of anti-semitic and anti-muslim bias motives and one fifth of bias motives concerned christians and their buildings/monuments. Pre-ranked to **‘skin colour’ with 293 motives (5th place)**, **‘sexual orientation’ was recorded as 4th place with 446 bias motives** resulting from a 20 percent increase to the previous year (2022: 373 VM), especially of homophobic motives. For **‘gender’** (sixth place), misogyny dominates and also transphobic motives³¹ were more strongly recorded in 2023 as in 2022. ‘Age’, ‘disability’ and ‘social status’ are again in the last places (see chapter 5 for details). For the **second most common category ‘national/**

29 Detailed explanations of all bias motives and forms, in particular under ‘worldview’, can be found for the first time in Chapters 5.1 to 5.9.

30 For more information on the Office for the Protection of the Constitution report, see https://www.dsn.gv.at/501/files/VSB/180_2024_VSB_2023_V20240531.pdf (17.06.2024). Explanation of the counting method: ‘The data basis for the statistical instrument of the state security authorities is all offences relevant to state security that come to the attention of the security authorities in a calendar year. Since criminal acts can comprise several offences, the number of offences exceeds the number of criminal acts. In addition to the quantitative scope and developments of the relevant phenomenon areas, the state security statistics also depict their qualitative parameters in order to define current and developing focal points for state security work. For example, unlike other surveys, offences that are linked in terms of time and location are statistically recorded as a serial offence according to a two-stage clearing procedure in order to be able to assign the quantitative number of offences to a phenomenon area, a group of offenders or an offender in a qualitatively undistorted manner. In this context, the consistent use of incident figures for the calendar year in question is also necessary.’

31 See the comments in chapter 5.3.

ethnic origin’ for which no forms are recorded, there was a decrease compared to 2022 – as for most other bias motives – by a drop of 18 percent (2022: 1,968 VM).

Categories/descriptions	Bias motives	Clearance rate	Suspects	Violent offences	Victims – violent offences
Worldview	2,706	+ 67.9%	2,163	222	285
Western Democracy	1,700	+ 75.9%	1,491	77	108
Others	606	+ 61.1%	458	96	122
Parties	400	+ 44.9%	214	49	55
<i>Offences under Prohibition Act³²</i>	<i>1,756</i>	<i>81.5%</i>	<i>1,636</i>	<i>k.A.</i>	<i>K.A.</i>
<i>Western Democracy (without Prohibition Act)</i>	<i>395</i>	<i>54.9%</i>	<i>282</i>	<i>77</i>	<i>108</i>
National/Ethnic origin	1,612	+ 75.8%	1,441	757	903
Religion	700	+ 65.0%	553	191	212
Jews	263	+ 65.0%	197	21	22
Muslims	229	+ 79.9%	222	118	134
Christians	150	+44.7%	89	30	32
Others	58	+ 58.6%	45	22	24
Sexual orientation	446	+ 63.7%	348	181	208
Homosexuals	389	+ 62.7%	306	148	173
Bisexuals	39	+ 69.2%	28	21	21
Heterosexuals	18	+ 72.2%	14	12	14
Skin Colour	293	+80.1%	296	97	110
Gender	248	+ 71.7%	209	161	183
Woman	172	+ 84.3%	159	132	153
Divers/Inter	46	+ 39.1%	26	14	15
Others	25	+ 58.3%	24	14	14
Man	5	+ 0.0%	0	1	1
Age	176	+ 49.4%	119	36	36
Disability	144	+ 63.9%	126	63	66
Physical/Sensory impairment	78	+ 50.0%	58	21	22
Mental/Cognitive impairment	66	+80.3%	68	42	44

32 As offences under the Prohibition and Uniform Prohibition Act currently do not count as ‘violent crime’, no information is provided. See the previous footnote to the covered offences. In 2023, there was no record of violations of the latter penal law, which prohibits the wearing of ‘Wehrmacht’ uniforms since 1946.

Categories/descriptions	Bias motives	Clearance rate	Suspects	Violent offences	Victims – violent offences
Social Status	136	+ 69.9%	115	41	49
Other	95	+ 62.1%	74	26	34
Homeless	41	+ 87.8%	41	15	15
Total	6,461				

Table 3: Police-registered bias motives, clearance rates, suspects (natural persons), bias-motivated violent offences and related victims (natural and legal persons); ranked by absolute number of categories and forms; January to December 2023.

The following table 4 shows the **five most common intersections of victim groups**. This ‘intersectionality’ of identity factors is in similar contexts as in 2021 and 2022. The bias motive ‘national/ethnic origin’ was most often documented by the police officers with ‘worldview’ or ‘religion’, sometimes also with ‘skin colour’. A total of **614 offences with more than one bias motive were registered in 2023** (2022: 727), i.e. 10.8 percent of the 5,668 crimes in total.

Combination of bias motives	offences
National/Ethnic origin and Worldview	98
National/Ethnic origin and Religion	83
Religion and Worldview	82
Skin colour and National/Ethnic origin	81
National/Ethnic origin, Religion and Worldview	42
Total (Offences with multiple bias motives)	614

Table 4: Police-registered offences with multiple bias motives; ranked by the five most common combinations and total number; January to December 2023.

According to **figure 7**, the proportions of ‘offence areas’ differ depending on the bias motive and the proportions of public peace offences or property offences are significant compared to ‘**confrontational**’ offences against life and limb, liberty, honour or sexual integrity and self-determination (similar to previous years).

Violations of the **Prohibition Act**³³ account for the most with regard to the bias motive **'worldview'**, **almost two thirds**, almost double the average value (36 percent). By contrast, offences against **life and limb, freedom and honour add up to around 55 percent in the case of 'national/ethnic origin'** compared to their share of 30 percent of hate crime in total. A sharply increased proportion of offences against **public peace**, in particular incitements, can be found in particular for the bias motives **'religion'** (14 percent) and **'skin colour'** (18 percent); for the latter motive, the more than three times higher proportion of **honour crimes** (12 percent) compared to the overall average (3.7 percent) is striking. Also in the case of **'gender' and 'national/ethnic origin'** honour offences, in particular insults, are registered twice as often as on average. Under both motives, the **highest rate for offences against life and limb** was also recorded, in particular assaults (29 percent and 25 percent respectively). **The bias motive 'gender' is dominated by 'confrontational' offences** (two thirds), in particular assaults, dangerous threats, coercions or insults. By contrast – similar to 'disability' – approximately 44 percent of **'sexual orientation'** are property offences (mainly **property damage**), followed by assaults and dangerous threats. Only **'age'** (66 percent) and **'social status'** (46 percent) are even more clearly dominated by property offences.

Thus, the bias motive **'worldview'** **tends to have the most indirect contact with the victim groups** affected by the violations of the prohibition law. By contrast, more than **90 percent** of bias-motivated crimes are committed **directly in the victim's sphere** in the case of **'gender' and 'age'**, more than 80 percent in the case of **'disability' and 'sexual orientation'**, more than 70 percent in the case of **'national/ethnic origin' and 'social status'**, and more than 60 percent in the case of **'skin colour' and 'religion'**.

33 The following statements are also based on the analysis of the dominant offences by offence area, which can be found above in the text before table 2. This means that §§ 3g, 3h Prohibition Act account for 9 percent of the recorded bias motives under 'Ancillary criminal laws'.

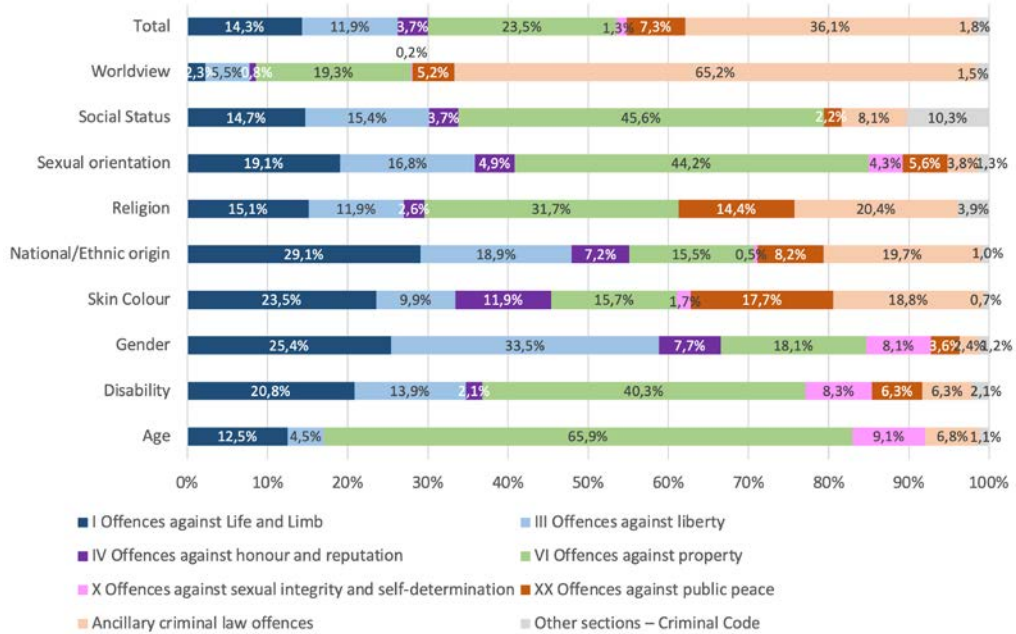


Figure 7: Distribution of 'offence areas' in police-registered hate crimes; by categories of bias motives; descending alphabetically; January to December 2023.

3. Suspects

First of all, the trends in the number of suspects (figure 8) and the clearance rate³⁴ (figure 9) over the course of the three reporting years are briefly presented. As illustrated in figure 3, the total number of suspects (German: Tatverdächtige, TV) in 2023 remained relatively constant at 4,665 compared to the previous years (2021: 4.468; 2022: 4,864), whereby the overall decrease of four percent recently is mainly explained by the fact that the 16 percent increase in worldview with 2,163 suspects (2022: 1,818), offset by the 24 percent decrease in 'national/ethnic origin' with 1,441 suspects (2022: 1,891).

³⁴ A crime is considered to be 'clarified' if the police have named a suspect to the public prosecutor's office. For more information, see *Fuchs*, IRKS Pilot Report, p. 84.

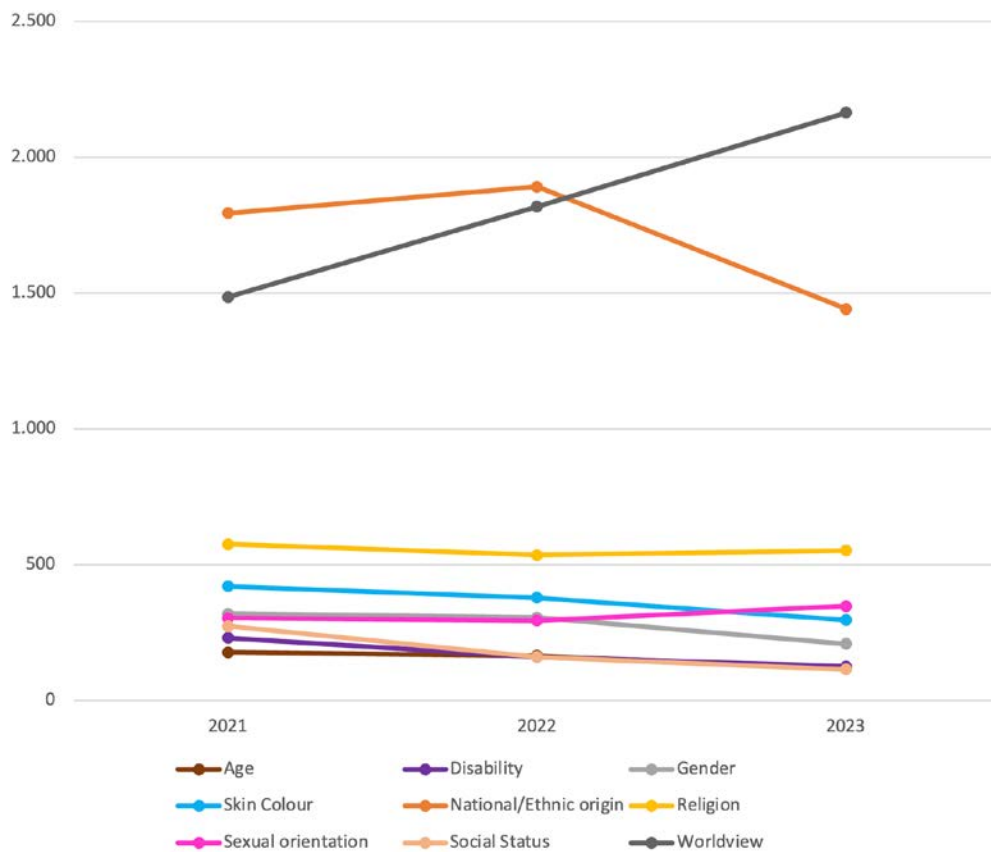


Figure 8: Comparison of police-registered suspects (natural persons), ranked by bias motives and reporting years 2021, 2022 and 2023.

Regarding the clearance rates in 2023 and 2022 the top-ranked motive changed from 'national/ethnic origin' (76 percent) to 'skin colour' (80 percent). There was also a slight increase (68 percent) in the fifth-ranked motive 'worldview', with 3rd place being 'gender' and 4th place being 'social status'.

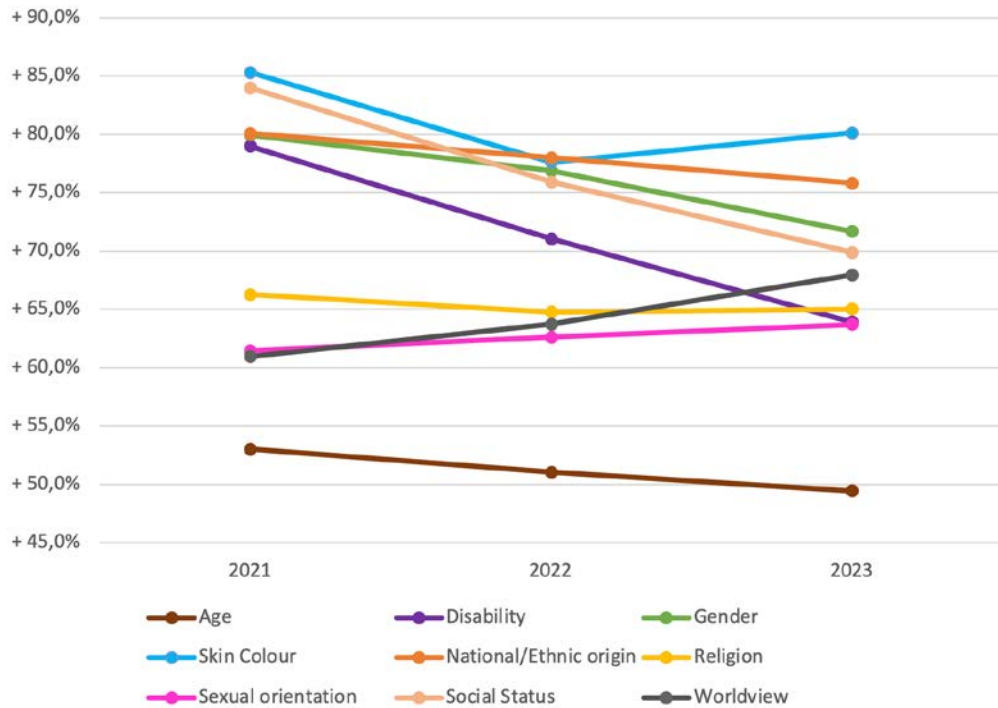


Figure 9: Comparison of police clearance rate, ranked by bias motives and reporting years 2021, 2022 and 2023.

As can be seen from a comparison in figure 10 with all suspects (natural persons only) in 2023, the criminologically usual form of the ‘age crime curve’ is even more evident in hate crimes, very similar to the previous years. This is because bias-motivated offences are committed **twice as often by persons under the age of criminal responsibility and minors** between the ages of 14 and 18 than in the case of overall crime. **Suspects under the age of 21 therefore make up a third**, so that more juvenile delinquency is recorded in hate crime. On the other hand, young adults (21 to under 25 years) and middle-aged suspects (25 to under 40 years) have been always underrepresented in bias-motivated crimes (35 percent versus about 46 percent in total crime). However, the proportion of suspects aged 40 and over is similarly high for both groups.³⁵

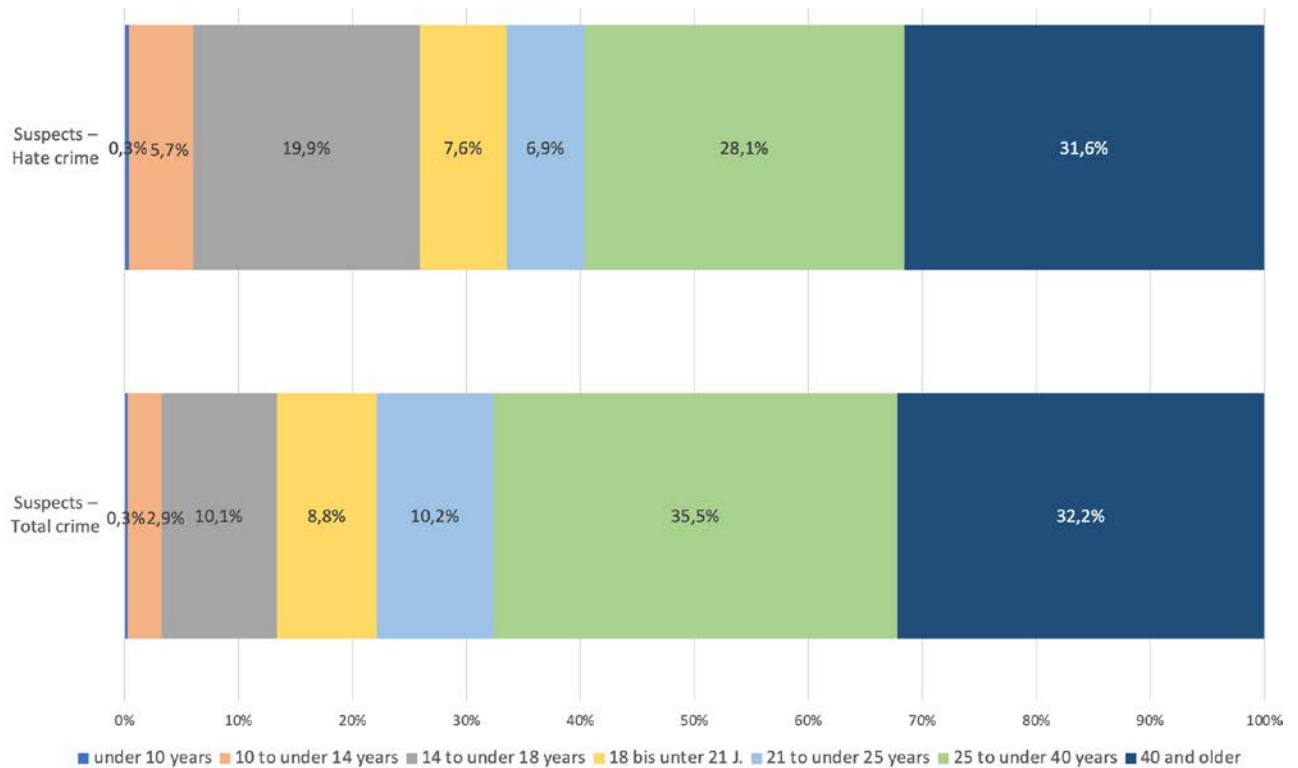


Figure 10: Comparison of the age distribution of for bias-motivated offences and for all police-registered crimes; January to December 2023.

The general proportion of **foreigners (28 percent)** compared to **suspects with Austrian citizenship (72 percent)** is far lower for **bias-motivated offences** than for **total crime excluding hate crime (46 percent)**.³⁶ The **lowest proportion of foreign nationals is found with the bias motive ‘worldview’, especially its form ‘western democracy’ (each 18 percent)**. By contrast, **every second hate crime against women (55 percent), ‘muslims’ (54 percent) or ‘age’ involves at least one foreign suspect**, as in the previous year. Conversely, **three out of four suspects regarding the motives ‘worldview’, ‘disability’ or ‘skin colour’ as well as anti-semitic or homophobic motives are Austrians**.

Moreover, in 2023 (as in 2022) the **proportion of men** regardless of their nationality is **slightly higher for bias-motivated crimes** than for overall crime itself (85 percent compared to 77 percent). This ‘male perpetration’ was particularly pronounced in hate crimes against **homeless people (95 percent), homophobia (90 percent), rejection of women, non-binary gender identities and western democracy and parties (88 percent and 87 percent respectively)**. Bias motives based on the ‘skin colour’ or ‘national/ethnic origin’ (86 percent

36 In general, these official data depend strongly on the clearance rate and the type of crime, e.g. in the case of property damage, suspects are often unknown and therefore difficult to assign due to nationality and gender.

and 85 percent respectively) as well as anti-christian, anti-semitic and anti-muslim bias motives (84 percent and 83 percent respectively) were around the average for hate crimes.

4. Crime Scenes

In the police crime statistics, certain crime scenes are recorded for offences. Since the 2021 pilot report, the locations of the recorded bias motives (VM) are summarized in the **seven location categories** ‘public space’, ‘semi-public space’, ‘private space’, ‘sacred site’, ‘institution’, ‘internet’ and ‘other location’ and refer in **absolute figures** to the relevant sections of the Criminal Code (I.-XX.) as well as to ancillary criminal laws in **figure 11**.³⁷ **Figure 12** shows the same analysis with their **percentages (within the offence areas)**. In addition, **figure 13** now shows the respective **percentage of offence areas in relation to the crime scenes in total** highlighting better their respective significance.³⁸

As in previous years, **public and semi-public crime scenes** comprising largely situational violence dominate in 2023, as **631 bias motives (68 percent)** were recorded at **offences against life and limb and 1,000 VM (65 percent) at offences against property**. Overall, these two areas of crime accounted for **82 percent** of the bias motives recorded in the **public space and 69 percent** of the bias motives recorded in the **semi-public space** (Figure 17).

Bias-motivated attacks on ‘**sacral sites**’ such as churches, cemeteries and monuments (74 motives) are **property damages (99 percent)**, even if their share in the area of **property offences** is only five percent.³⁹

In almost **every second motive (361 motives) the (semi-)public space dominates offences against liberty** (similarly in sexual offences). More than one in four crime scenes is ‘private’

37 Location categories were not expanded from 2022 to 2023, ‘Other’ being selected instead of the following detailed categories for every third bias motive: ‘Public space’ means railway station, ATM/cash machine, carport/garage, leisure/sports facility, public place/street/parking lot, public building, public transport/stop and telephone booth. ‘Semi-public space’ means clothing shop, shopping center, electronics shop, factory/industrial building/storage hall, airport/airfield, catering establishment, financial institution/bank/post office, gambling establishment, hotel/pension/accommodation establishment, kiosk, jeweler, museum/exhibition, car park/underground car park, political establishment, red light restaurant, other buildings, other shop, supermarket, petrol station, and venue. ‘Private space’ means construction site, office space, basement compartment, agricultural property, detached house/semi-detached house/semi-detached house, residential complex (multi-party house) and apartment. ‘Sacral site’ means monument/memorial, cemetery and religious buildings. Asylum/foreign accommodation, prison (PAZ, YES, etc.), barracks/military facility, hospital/clinic/nursing facility and school/educational facility are considered to be ‘institutions’.

38 In this respect, for example, all the percentages for ‘public space’ of the crime areas – ‘vertical’ summed up – result in a total of 25 percent, which corresponds to the 100 percent total for ‘public space’ in the first bar. Therefore, only all crime scenes within the ‘Total’ bar together result in 100 percent, but not in the lower detail bars of this figure so that the percentage label at the bottom is missing.

39 Figure 13 shows that the motive ‘religion’ concerns almost only the christian community.

(170 VM), since **one in three** bias motives recorded in **'private space'** was recorded in the event of a dangerous **threat or coercion**. Only the share of property offences in the total amount is even higher with 43 percent; therefore almost **every second motive (234 out of 542) is property damage** in the private context.

In the case of 'ancillary criminal laws', almost exclusively violations of **the Prohibition Act, the crime scene 'internet' prevails with 920 motives (40 percent)**. **Three quarters** of all hate postings⁴⁰ were registered here. **Crimes against public peace**, mostly incitements to hatred and offences relating to terrorist groups, accounted for 201 motives, almost **one sixth (17 percent)** to the total amount (43 percent within the offence area). As an **online offence, one in eleven bias motives (70) recorded for liberty offences** is also worth mentioning here with a total share of 6 percent.

As for **'institutions'**, in particular schools, hospitals, barracks, asylum centers or prisons/ detention centers, the absolute shares of the offence area **'life and limb' (88 VM; 42 per cent in total), property offences (66 VM; 31 percent) and liberty offences (46 VM; 22 percent)** should be noted. Within the offence areas the proportion is also above average in these three areas, but **most of this crime scene was recorded proportionally for sexual offences (13 percent, 11 VM)**.

40 The term 'hate postings' used at this point covers all crimes with a bias motive that are committed in the Internet.

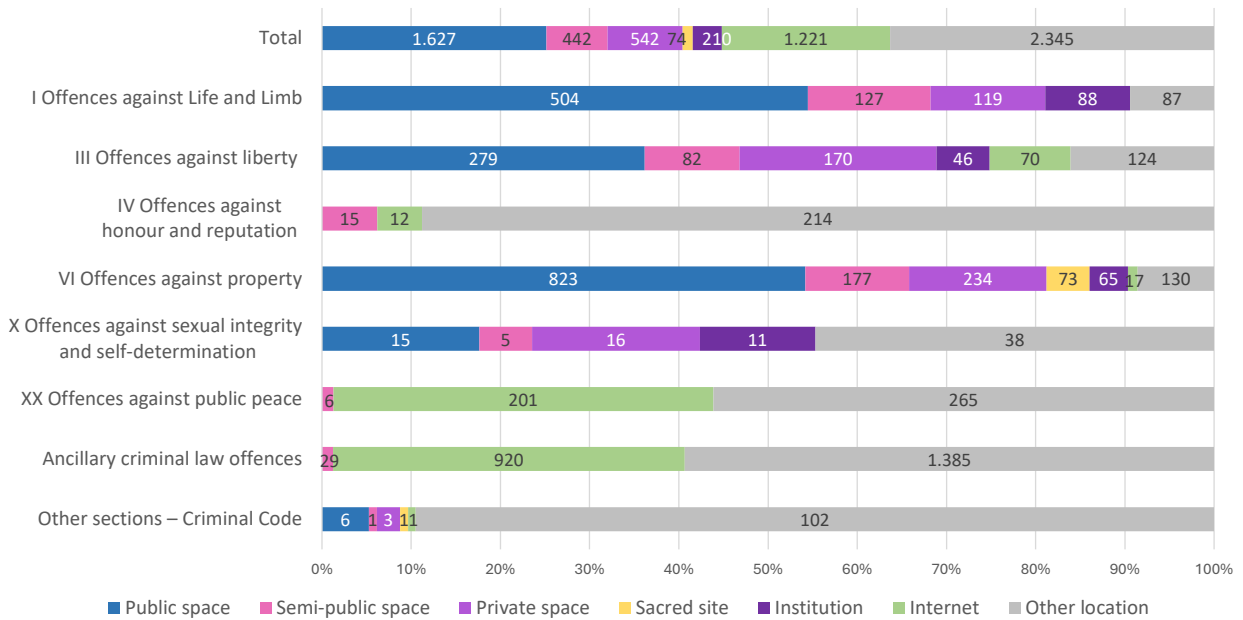


Figure 11: Crime scenes of police-registered bias motives in absolute numbers; classified according to ‘areas of offences’; January to December 2023.

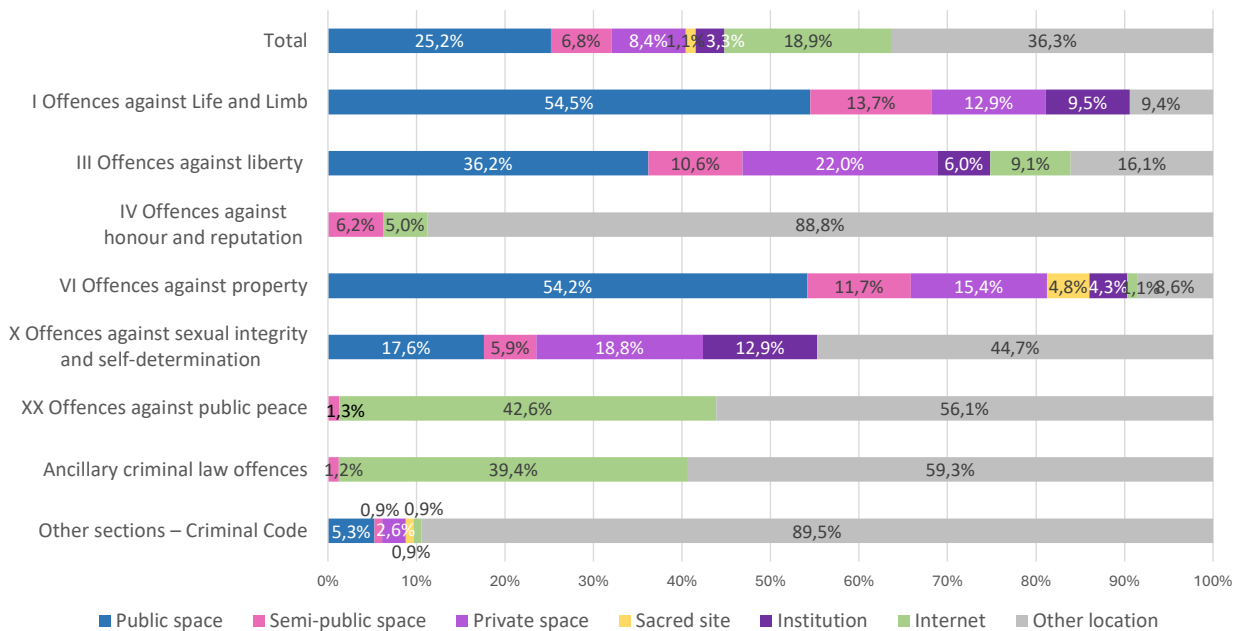


Figure 12: Crime scenes of police-registered bias motives in percent (proportion within ‘crime areas’); classified according to ‘offences areas’; January to December 2023.

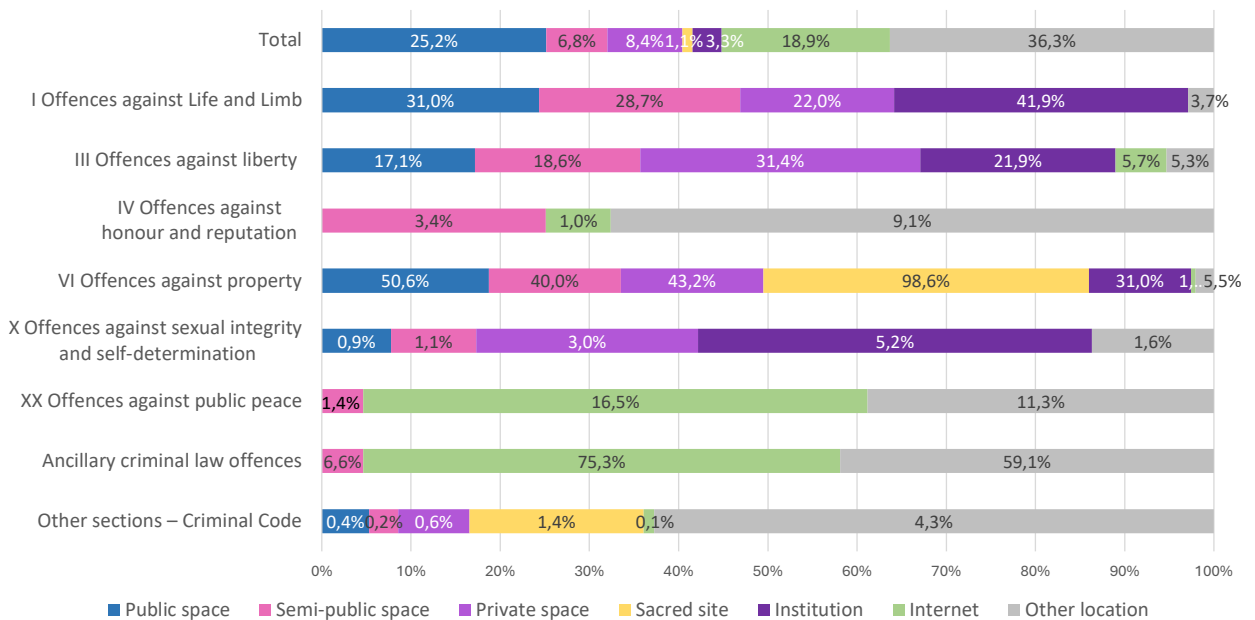


Figure 13: Crime scenes of police-registered bias motives in percent (proportion of total amount); classified according to 'offences areas' of; January to December 2023.

In 2023, a **quarter** of bias motives was recorded for **'public space'** (1,627) and a **fifth** for **'internet'** (1,221 VM, 19 percent); **542 motives** (8 percent) were registered under **'private space'** and **442 motives** (7 percent) under **'semi-public space'**.⁴¹

In the most common location category **'public space'**, **'national/ethnic origin'** (550 VM) leads in absolute numbers, ahead of **'worldview'** (409), **'sexual orientation'** (210) and **'religion'** (191), although homophobia (192) and motives against parties (157) are particularly noteworthy.

Every second homophobic or anti-divers/inter bias motive⁴², 40 percent of the anti-party and 41 percent of the anti-muslim motives happened public.

In the **semi-public sphere**, which includes, for example, shops, factories, restaurants, and parking garages, 144 motives are of **'national/ethnic origin'**, 108 motives are of **'worldview'** and 42 motives are each of **'sexual orientation'** and **'age'**. The first two motives contribute

41 In some cases, percentages are rounded in the text for readability, but they are shown in abbreviations to one decimal place.

42 Concerning 'gender/others', which mainly included transphobia, two thirds were recorded as 'public', but the small number (16 VM) does not allow well-founded generalizations of the official data.

with a quarter and a third to the total amount. This location was recorded above average for 'age' (24 percent) and 'social status' (18 percent).

Private spaces, which mainly include construction sites, offices and cellar compartments, were also mainly covered by 168 motives of '**national/ethnic origin**' and 121 motives based on '**worldview**', as well as 69 motives of '**gender**', 57 motives of 'religion' and 43 motives of 'sexual orientation'. The largest contributors to the overall size are disproportionately '**national/ethnic origin**' (31 percent) and '**worldview**' (22 percent). If you look at the percentages here, one in three misogynistic motives was recorded in private space (34 percent), one in five age-related (19 percent), one in six rejections of a disability (17 percent), one in seven rejections of gender identity (divers/inter) and one in eight anti-muslim motives (12 percent), which applies for 'social status' (without 'homeless').⁴³

In the case of '**institutions**', **210 motives** were recorded, mostly because of '**national/ethnic origin**' (77 VM, 37 percent of the total) before '**religion**' (39 VM, 19 percent of the total), with 'muslims' in particular (46 percent, 18 VM). The relative coverage in the case of '**disability**' is even greater (9 percent, 13 VM).

A total of **74 motives** are registered for the crime scene '**sacred site**', with **57 anti-religious motives**. Of these, 90 percent (51 VM) are **anti-christian motives** (2022: 48 VM). Every third motive in this category is recorded in this sacred context, primarily as **damage to property**.

Finally, the focus is on the 1,221 recorded bias motives in the **internet** (19 percent): In absolute terms, 792 motives based on '**worldview**' (**29 percent**), especially in the case of violations of the **Prohibition Act** (721 VM, 41 percent compared to 31 percent 2022), 188 motives of '**national/ethnic origin**', 92 motives of '**religion**', 75 motives against '**parties**'⁴⁴, 67 **anti-semitic motives** (26 percent) and just as many against '**skin colour**' (23 percent). It should be noted here (figure 16) that **three out of four anti-religious hate postings are anti-semitic** (73 percent). Even more striking, at **91 percent**, is the online proportion of violations under the **Prohibition Act** within the motive 'worldview', especially in comparison with the rejection of the 'western democracy' without a violation of the Prohibition Act, which were hardly recorded as hate postings.⁴⁵ This is also supported by numerous online incitements and 'memes'⁴⁶ against jews and people because of their skin colour, which are exchanged on social media, e.g. on social media platforms, or via messenger services.

43 Also in 18 percent of all hate crimes due to bisexuality (only 7 motives).

44 For these three motives, the percentages are omitted, as they are (below) average within the categories compared to 19 percent 'total'.

45 See figure 11 above: In the case of 'worldview', the suspects have the least direct contact with the persons concerned.

46 Excerpt from the definition of the German Wikipedia (11.06.2024): 'A meme (pronounced meme, plural memes) is a media content that is primarily disseminated on the Internet. This is usually humorous, sometimes satirical and correspondingly critical of society.'

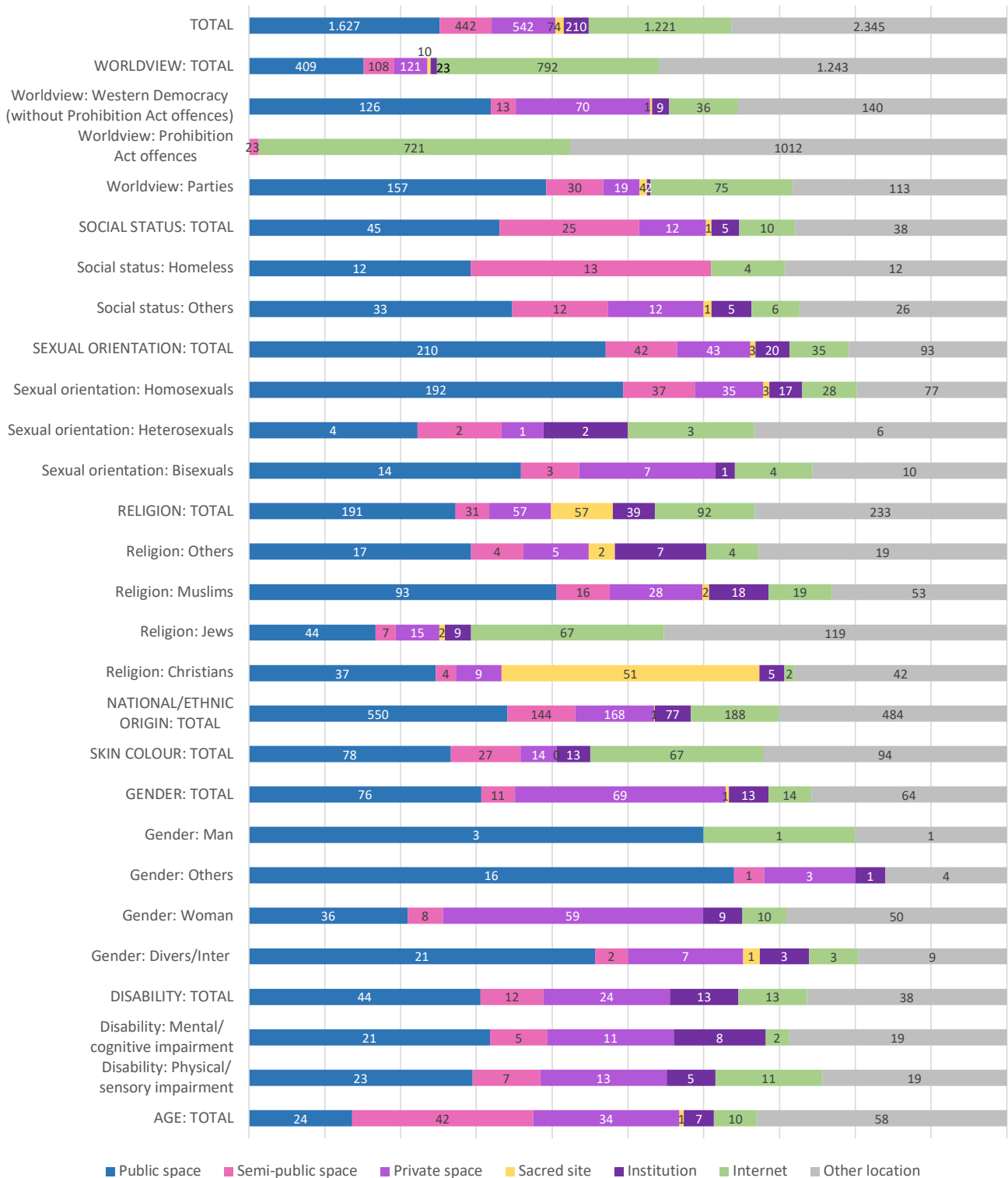


Figure 14: Crime scenes of police-registered bias motives in absolute numbers; classified according to bias motives and their forms; January to December 2023.

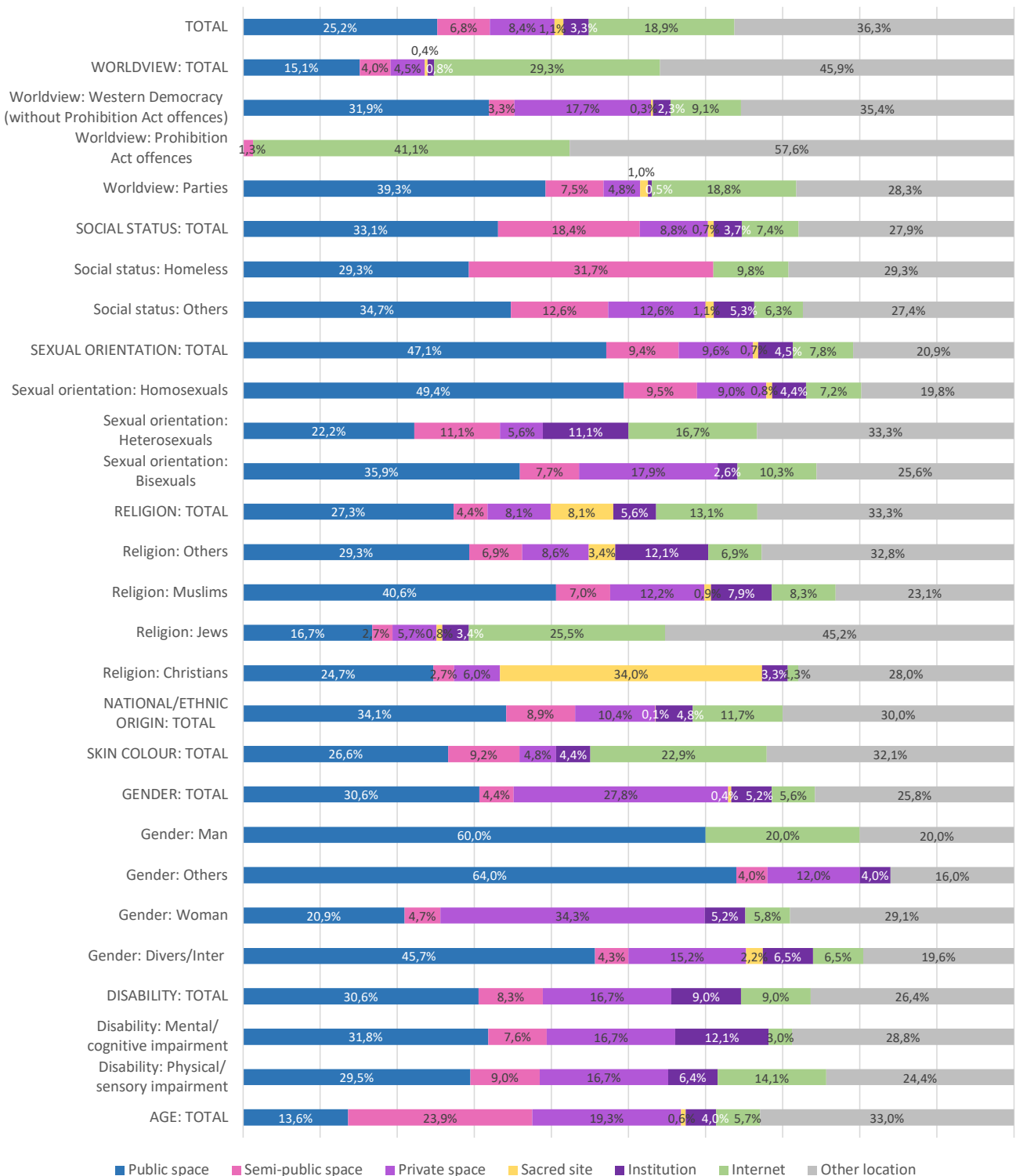


Figure 15: Crime scenes of police-registered bias motives in percent (share within bias motive); classified according to bias motives and their forms; January to December 2023.

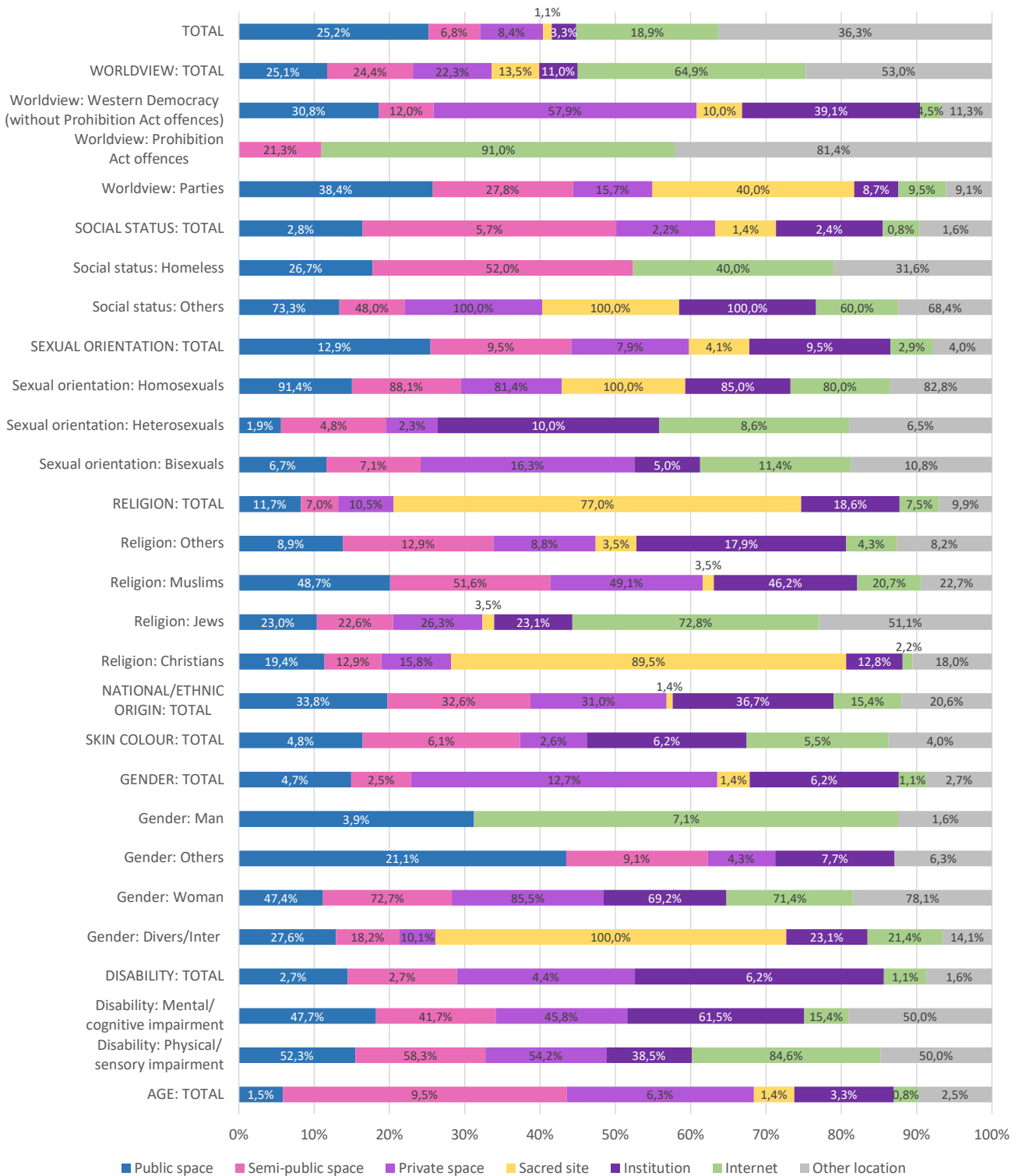


Figure 16: Crime scenes of police-registered bias motives in percent (proportion of total quantity) classified according to bias motives and their forms; January to December 2023.

5. Hate Crimes by Affected Groups

The criminal phenomenon of ‘hate crime’ pursues a victim-centered approach that focuses on those affected. This is a significant difference from the classic criminal justice system, which historically focuses on the perpetrators.

The new section ‘Hate Crimes by affected groups’ created by this annual report makes the impact for individual victim groups even more visible.

5.1 Age

The bias motive ‘age’ includes **people of all ages**, since in principle anyone can be the victim of a bias-motivated crime. Experience has shown that older people are particularly affected, but occasionally also minors under the age of 18. But **exploiting the vulnerability or defencelessness** of another, e.g. on the basis of an enrichment motive (e.g. ‘nephew trick’, pickpocketing or theft by withdrawal with stolen payment information) **does not constitute a bias-motivated crime.**⁴⁷ However, if other indicators are added, these may be hate crime cases, in particular because of negative messages from the perpetrators (N) or the particular seriousness of the crime (S), which indicates a derogatory, negative attitude towards this group of victims.⁴⁸

‘Age’ remains one of the least captured bias motives in 2023 (as in 2021), with **176 bias motives (2.7 percent of all VMs)** (2021: 266 VM; 2022 241 VM).

The **top 5 offences** in 2023 comprise 60 percent of the total (figure 17). Of these, approximately one in three offences is **fraud** (including serious fraud; 48 VM) or **theft** (34 VM), violations of the **Prohibition Act or assaults** make up approximately one tenth of each.

⁴⁷ *Fuchs*, pilot report. Hate crime in Austria, p. 12 (see FN 1). Therefore, police entries in the database are also checked very consistently and numerous deletions of the bias motive have been initiated for quality assurance purposes since data collection began in 2020.

⁴⁸ The acronym ‘ERNST’ of the bias indicators is explained in detail here: BMI, Hate Crime in Austria. Pilot report – short version, 2021, p. 19; *Fuchs*, Pilot Report, p. 65 et seq.; see above summary.

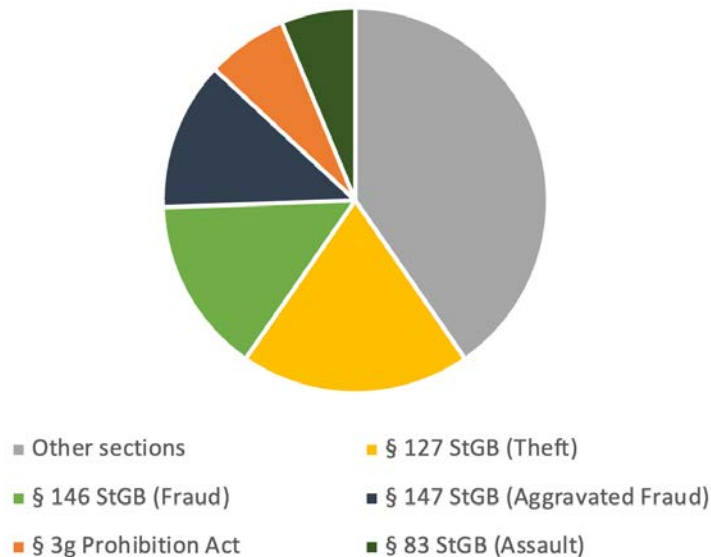


Figure 17: Bias motive 'age'; distribution of the top 5 offences, including others; January to December 2023.

It is also worth mentioning the **registered dominance of older, more often male suspects** (77 out of 119 in total), as middle-aged (25 to 39 years) represent a third (41 out of 119) and older suspects aged 40 and over represent 30 percent. The suspects were **46 percent foreigners** and 54 percent Austrians in connection with this bias motive.

The motive 'age' was registered mainly in **semi-public (42) and private locations (34)**⁴⁹, so that almost a quarter (19 percent) was located in the latter case.

Examples for 2023 include the theft of fall mats from a playground and throwing them into the adjacent river, laying barbed wire on a children's playground, attaching a knife blade to the climbing wall at a children's playground, beating (school) children by unknown persons, apparently only because of their age, insulting older people (threats of gassing, prompts to stop driving) and smashing windows at a nursing home.

⁴⁹ This corresponded to around 10 percent of all crime scenes recorded as 'semi-public' and 6 percent of all 'private'; reference to the above crime scene evaluations (figure 11-13).

5.2 Disability

'Disability concerns people who have a physical, mental or cognitive disability or a sensory impairment that makes participation in life in society more difficult in the longer term'. This **monitoring definition** is based on Article 1 of the UN Convention on the Rights of Persons with Disabilities and Section 3 of the Disability Equality Act and guides the police as **mouse-over text** in the database. According to current studies, this large protected group of victims is **affected by violence** more frequent and covertly than the average population.⁵⁰ These hate crime statistics is therefore specifically intended to make this vulnerability more visible.

In second-last place, a total of **144 VM** (2021: 252 VM; 2022 183 VM) were recorded under the category 'disability' in 2023.

Although the form **'physical disability/sensory impairment'** always preceded **'psychological/cognitive impairment'**, the gap is steadily decreasing due to improved recording accuracy.⁵¹

Comparing the **top 5 offences** in both forms (**figures 18 and 19**), there are overlaps and differences: the top 5 offences for **physical disabilities and sensory impairments** represent 75 percent, meaning that the dominance of **property offences** stands out, as **property damages** (17 VM), **thefts** (12 VM) and **robbery** account for 45 percent (6 VM) of all bias motives. Degradations due to **incitements** of hatred and violations of the **Prohibition Act** amount to almost 17 percent.

On the other hand, the spread of offences in **mental and cognitive disabilities** is far greater (just under 60 percent of the top 5 offences). Almost every second bias motive (42 percent) reflects a more confrontational, immediate context, adding to the first-ranked **assaults** (14 VM) the second-ranked **dangerous threats** (9 VM) and sexual abuse (5 VM). The property offences are only 16 percent. This may be related to the lower visibility of these disabilities to outsiders, which could lead to fewer opportunities to commit crimes from the perspective of the suspects.

50 According to the Ministry of Social Affairs, about 400,000 people with a disability passport currently live in Austria. More information: Persons with disabilities in Austria (sozialministerium.at, only german) (13.06.2024). More information on the comprehensive study 'Experiences and prevention of violence against persons with disabilities' can be found here: Information on disability and violence in Austria (sozialministerium.at, only german) (13.06.2024).

51 The first decreased from 166 VM 2021 to 78 and the second from 86 to 66 2023.

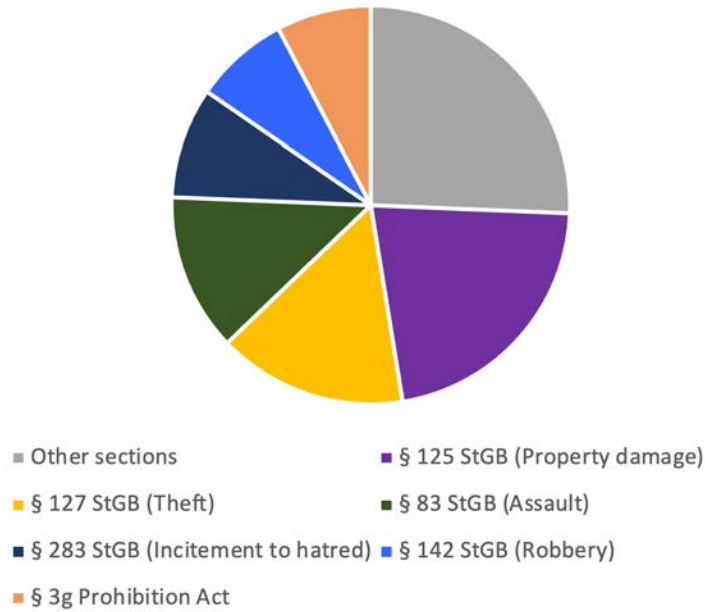


Figure 18: Bias motive 'disability' – form 'physical disability/sensory impairment'; distribution of the top 5 offences, including others; January to December 2023.

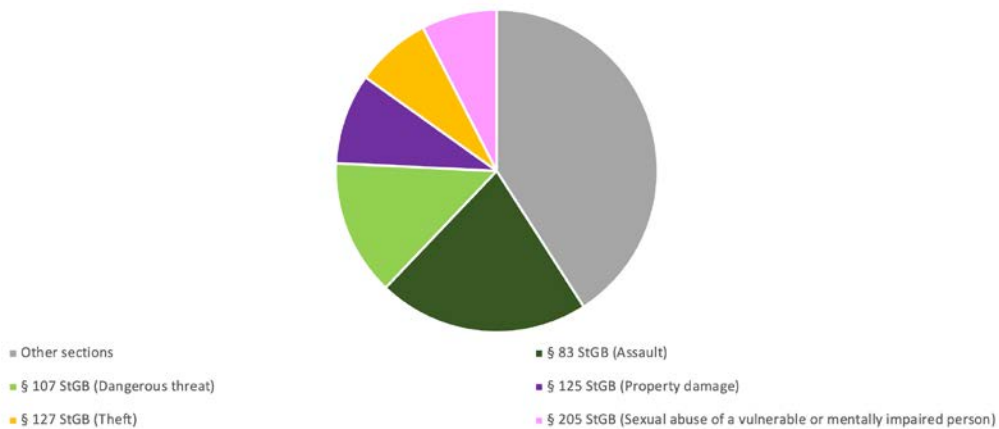


Figure 19: Bias motive 'disability' – form 'mental/cognitive impairment'; distribution of the top 5 offences, including others; January to December 2023.

The above profiles of offences correspond to the slight dominance of the third of **juvenile suspects** (21 TV between 14 and 18 years) over older suspects over 40 years (15 TV) towards people with **physical disabilities and sensory impairments**. On the other hand, the second form is clearly dominated by the over-25s (57 percent) and the three times as many over

40-year-olds, which could indicate manifest **power disparities** in the perpetrator-victim constellations.

In 2023, 77 percent of suspects with this bias motive were **male** in 2023 (97 out of 126 TV), 29 percent were non-Austrian nationals and **71 percent** were **Austrian** nationals.

Following the third of public crime scenes every sixth bias motives is **recorded in private spaces** (figures 11-13). It should be noted that persons with disabilities are particularly affected in the context of **'institution'**, in particular care and educational institutions. In contrast to the same level of recorded crimes in the internet (13 VM, 13 percent), **this bias motive contributes disproportionately to the total amount** of hate crimes in institutions (6 percent), far more than in other crime scenes, where the contribution ratios are between 4 percent and 1 percent.

For illustration, briefly quoted **examples** from the police database for 2023 are cited, specifically from property damage (emergency cord on the disabled toilet, three-wheeled bicycle, lighting of the wheelchair), violations of the Prohibition Act (nazi-glorifying anti-disabled memes; hate speech about 'integration students' or 'autists') assaults (knocking over a wheelchair user and denying benefits), insults (e.g. a person with trisomy 21 as a 'cripple' in a parking lot for disabled in front of witnesses, bullying in schools).

5.3 Gender

The category 'gender' has been recorded since the beginning of data the collection in 2020 with the **forms divers/inter, woman, other** and **man**. Until the end of December 2023, the category **'others'**, which the police must specify in a free text field, included bias motives for **transidentity/transgender** as well as against people who are read in a derogatory way due to their unexpected appearance and demeanor (e.g. travesty, drag queens/kings) and are therefore the target of criminal offences.⁵² A **misogynistic bias motive** must be **identifiable** for police recording. It may not be assumed for every female victim, especially in the context of domestic violence.⁵³ If a rejection of equal treatment of women and thus of western values can be established, the bias motive for such acts is 'world view/form: western democracy'.

⁵² Transidentity/transgender is recorded separately as the form 'trans' since 1.1.2024.

⁵³ *Fuchs*, Pilot Report, pp. 24-27. Fuchs refers in particular to the specific grounds for aggravation § 33 para. 2 Z 2 StGB in the context of the implementation of the Istanbul Convention and to the practical difficulty of proving a 'purely' misogynistic motive.

A total of **248 motives** (172 'woman', 46 'divers/inter', 25 'others', 5 'man'⁵⁴) were recorded in the category 'gender' in 2023. The form '**divers/inter**' rose relatively sharply compared to the previous year.

Among the **top 5 offences**: The recording under 'others' only allows limited conclusions about the main areas of offences: Assaults (9 VM) dominate over property damages (6 VM) and dangerous threats (3 VM). In the top 5 analysis for the form **divers/inter** (**figure 20**) 'others' account for only 15 percent: More than a quarter of **property offences** (12 VM property damage; 6 VM theft) and one fifth **assaults**, followed by incitements to hatred (7 VM) and dangerous threats (4 VM) were recorded.

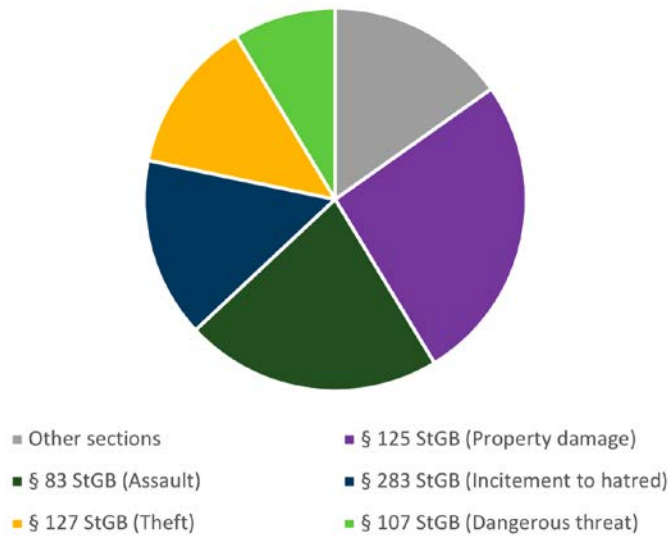


Figure 20: Bias motive 'gender' – form 'divers/inter'; distribution of the top 5 offences, including others; January to December 2023.

The top 5 offences against '**women**' (**figure 21**), which comprised almost two thirds of all recorded offences, clearly dominated the fifth of **dangerous threats** (38 VM) and **assaults** (36 VM), followed by **insults** (15 VM), persistently using force (13 VM) and property damage (12 VM) – all confrontational, direct offences.

54 Due to this small amount of data, no further reference is made to 'man'.

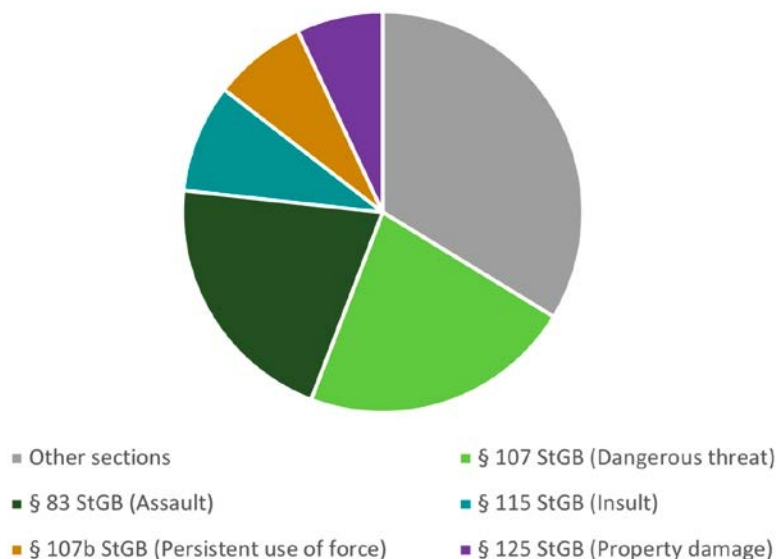


Figure 21: Bias motive 'gender' – form 'woman'; distribution of the top 5 offences, including others; January to December 2023.

The distribution of suspects for 2023 shows the following differences: While these were very evenly distributed by age in 'divers/inter' and were consistently **male** (23 out of 26 TVs), 58 percent within the form 'others' were **minors** (14-18 years) and, above all, male suspects (21 out of 24). In the case of 'women', this group (20 TV) was far outnumbered by **over 25 and 40-year-olds** (72 percent, 114 TV), whereby, as expected, male suspects always clearly dominated (87 percent, 138 out of 159 TV). The **proportion of foreigners**, around **half**, is the **highest** for the bias motive 'gender' (48 percent), especially regarding **misogyny (55 percent)**, of all hate crimes.⁵⁵ Accordingly, the proportion of Austrian citizens is 52 percent and 45 percent respectively.

At first glance, the **public** (76 VM, 31 percent) and **private crime scenes** (69 VM, 28 percent) almost balance regarding the motive 'gender', but the latter location (13 percent) contributes the most to the overall amount, ahead of 'institutions' (6 percent) and public space (5 percent). Within this bias motive, **misogyny** is recorded the most in absolute and relative terms, especially in the **private space** (86 percent, 59 VM). The high proportion of public space against the groups 'divers/inter' (28 percent, 21 VM) and 'others' (21 percent, 16 VM) suggests an increased visibility of those affected.

⁵⁵ More details under 3. Suspects: This rate is almost twice as high as the average for bias-motivated crimes and even slightly higher than for total crime. Only in the case of the motive 'muslims' the proportion of foreigners is similarly high, see below.

Examples of anti-LGBTIQ+-cases for 2023 include: incitements to hatred (producing and distributing around 500 contemptuous flyers against trans people, postings against a drag queen reading in front of children), damage to property (on the windows of LGBTIQ+ members' homes or shop windows of associations, overpainting a rainbow park bench, destruction of the rainbow flag⁵⁶, contemptuous graffiti), assaults (beating against trans women; bringing down a transman, pepper spray in the right eye), insults ('Fag*t', as well as dangerous threats ('Transperson, I'll stab you in the stomach')).⁵⁷

Examples of specific cases of misogyny include: Property damages (tearing down and smearing a community board with the lettering 'SI**'), insults ('Dirty Bi***', 'C*n*', 'SI**'), some of which are carried out in combination with derogatory remarks about religion or origin, as well as assaults (e.g. beating of a female passenger and the female tram driver, telling that women have nothing to say).

5.4 Skin colour

Offences out of rejection due to the skin colour are recorded by the bias motive 'skin colour'. Under this category, all cases directed against Black, Indigenous and People of Colour are documented. In practice, for police officers it is often necessary to make the intersectional dimension of an act visible by selecting other motives such 'ethnic/national origin'.

In 2023, the bias motive 'skin colour' slipped from 4th place (2021, 2022) to **5th place** among the most frequently documented bias motives with **293 documentations (5 percent of all VMs)** and a decrease of 27 percent was recorded.

The distribution of the **top 5 offences (figure 22)** is quite balanced for this victim group with **assaults** slightly predominating with 21 percent (61 VM), followed by **incitements** (17 percent, 51 VM), violations of the Prohibition Act (16 percent, 46 VM), **property damages** (14 percent, 41 VM) and **insults** (12 percent, 35 VM).

56 The destruction of the rainbow flag and, more generally, hate crimes against members of the LGBTIQ+ community in general can also fall under the bias motive of 'sexual orientation'.

57 Police classified some cases as 'divers' because of transidentity/transgender; the classification 'gender – others' would have been more correct until the end of 2023.

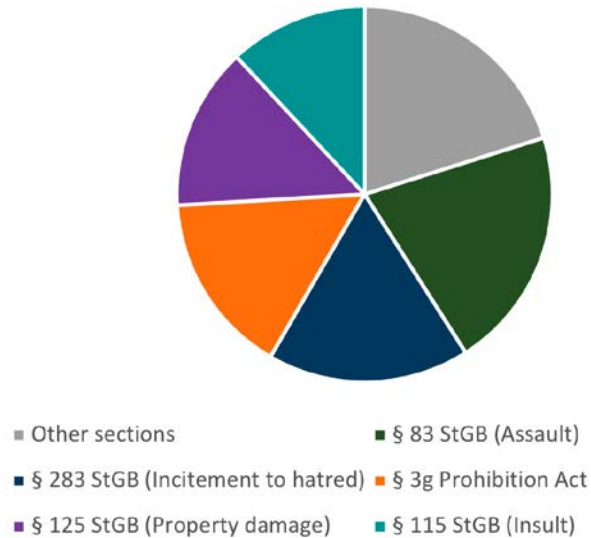


Figure 22: Bias motive 'skin colour', distribution of the top 5 offences including others; January to December 2023.

The figures for the distribution of the **age groups** of the 296 identified **suspects** show an almost **even distribution** of the categories 25 to under 40 years (24 percent, 70 TV), 14 to under 18 years (22 percent, 66 TV) and 40 and older (22 percent, 66 TV). The proportion of suspects with **Austrian citizenship** was **76 percent**, that of non-Austrian citizens 24 percent (see above under 3. 'Suspects'). Overall, **86 percent** were **male** (255 out of 296 TVs).

The cases within the category 'skin colour' are predominantly with 27 percent spread over '**public space**' (78 VM), with 23 percent over '**internet**' (67 VM) and with 9 percent in the 'semi-public space' (27 VM) with all three locations are represented above average (see above).

Examples of 2023: The documented assaults were often preceded by racist and discriminatory statements, e.g. recurring insults, which include the N-word⁵⁸ and are accompanied by vulgar, derogatory and degrading terms (e.g. reference to slavery). Perpetrators also stated that they deliberately chose terms to provoke. Acts deny members of this victim group the right to exist (e.g. 'You N**** don't belong in this country'), make statements that imply a connection between skin colour and criminality, and use extremely 'racial-theoretical' narratives (e.g. supremacy due to skin colour).

There is also content that attempts to equate people with animals because of the skin colour and racially discriminates in a derogatory manner in both the virtual and real world (e.g. through graffiti/property damages). The reporting statistics often document content from WhatsApp groups, for example, that contain problematic racist, defamatory ‘memes’ and stereotyping black people.

5.5 National/Ethnic origin

The category ‘national/ethnic origin’ is a category under which bias-motivated crimes can be recorded because of their (lack of) nationality as well as because of external, linguistic or cultural similarities between people and groups.

Even though the number of bias motives under the category ‘national/ethnic origin’ has fallen 18 percent compared to the previous year, this victim group has now been consistently **ranked second** among the groups affected by hate crimes for 3 years. In 2023, a **quarter** of all registered bias motives were assigned to this victim group (**1612 VM; 25 percent**).

Figure 23 below shows the top 5 offences, including other sections: A **quarter** (25 percent, 398 VM) of bias motives towards people because of ‘national/ethnic origin’ are registered as **assaults**. Almost a **third** (31 percent) are accounted for by the **Prohibition Act** (267 VM) and a **quarter** by **dangerous threats** (233 VM). One **fifth** were documented as **property damages** (211 VM) and 8 percent as **incitements to hatred** (121 VM)

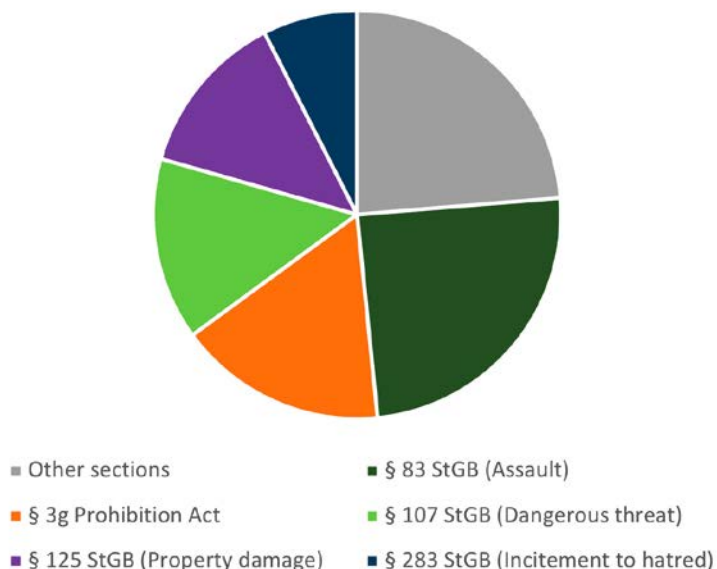


Figure 23: Bias motive ‘ethnic/national origin’, distribution of the top 5 offences including others; January to December 2023.

In 2023, suspects were identified second most frequently for this bias motive (76 percent clearance rate). It is particularly striking that over a **third** of the suspects (38 percent, 553 TV out of 1,441) were **40 years and older** and 29 percent **25 to under 40** years (414 TV). These two age groups make up 67 percent of the suspects. Around **85 percent** of these named suspects are **men** (1,231 out of 1,441) and a total of **67 percent Austrian nationals** and 33 percent foreigners.

Bias motives of the category '**national/ethnic origin**' are distributed above average among the '**public space**' (550 VM, 34 percent) and below average on the 'internet' (188 VM, 12 percent), whereby in terms of bias-motivated crimes as a whole it is remarkable that the latter location was recorded relatively little here and every fourth hate crime in 2023 of this category was recorded in 'institutions', '(semi-) public' and 'private spaces' (see above).

Example cases: The numerous documented assaults were often accompanied by insults and threats (such as 'crapp*[nationality] or [foreigners]' '...I'll kill you all' '...hang you... 'take your eyes out' ... 'slaughter you'), which were often also evident in the use of racist stereotypical language and clearly racist connotations. Victims also stated that they had already been exposed to the hostile, derogatory attitude before physical attacks in a spatial proximity (such as the neighborly relationship, school context). Political and ethnic conflicts also played a role in the context of these violent crimes. The damage to property was also widespread on vehicles with non-Austrian license plates (e.g. from Ukraine) and was also often found in classic xenophobic graffitis in public spaces. Incitement to hatred has been documented prominently on the internet (e.g. on social media platforms and messenger services) with crimes discussed in the media also being instrumentalized to construct a supposed connection between ethnicity and nationality on the one hand and criminality on the other. The bias motive was also prevalently documented in connection with the dissemination of relevant images in nazi, racist WhatsApp groups.

5.6 Religion

In the context of bias-motivated offences based on religion, the forms 'christians', 'jews', 'muslims' and 'others' are available. The decision to create separate categories only for selected religions is based on the fact that these religious groups are predominantly affected in Austria. However, the category 'others' makes it possible to record hate crime against other religions, whereby the term 'religion' is by no means limited to recognized religious communities. In 2023, for example, bias-motivated crimes against jehovah's witnesses and alevites were recorded.

In total, **700 motives** were recorded under ‘religion’ (11 percent), so that this victim group is assigned **third place**.

Also by 11 percent the number of bias motives in the category ‘religion’ increased, the **second most** in 2023 compared to the previous year. While anti-muslim bias motives were recorded most frequently in 2021, anti-semitism dominated in 2023 as in 2022. In contrast to the slight decrease in hostility towards ‘christians’ (-1 percent), **hostility towards ‘jews’ rose by 17 percent** and **hostility towards ‘muslims’ by 13 percent** within the category ‘religion’ compared to the previous year (figure 24).

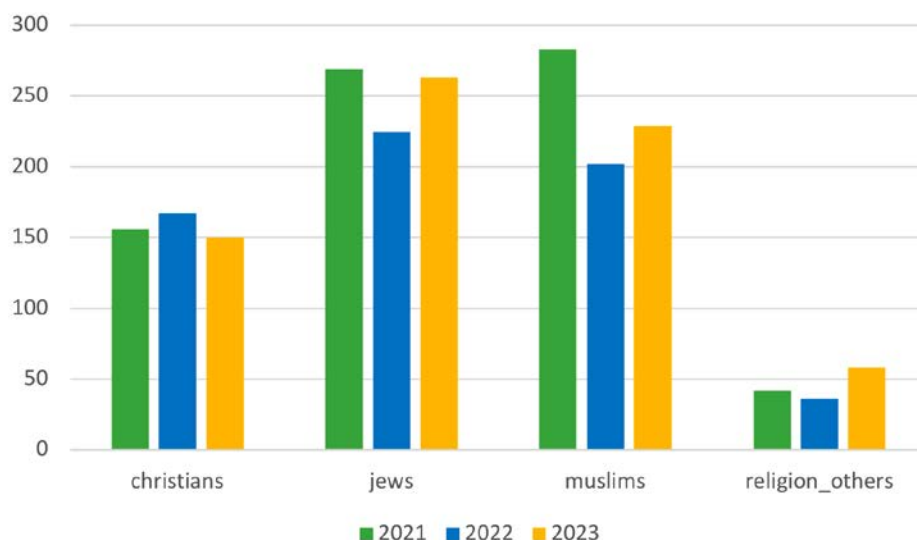


Figure 24: Bias motives registered by the police, all forms of the category ‘religion’; January to December 2023.

For the bias motive ‘religion’, **most** bias motives were recorded against ‘jews’ (263 VM, 38 percent)⁵⁹, almost every second offence (figure 25) for violations of the **Prohibition Act** (48 percent, 125 VM), followed by **property damages** (47 VM, 18 percent), **incitements** (43 VM, 16 percent) and **dangerous threats** (13 VM, 5 percent).

⁵⁹ Of the total number of recorded bias motives for the victim group ‘religion’.

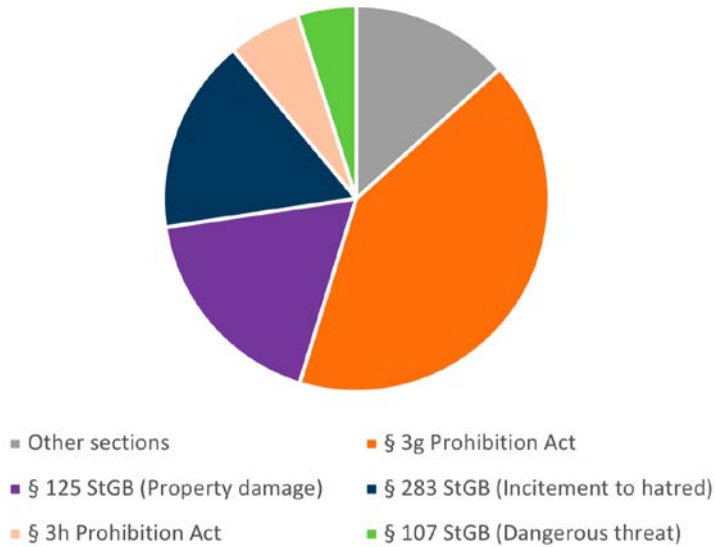


Figure 25: Bias motive 'religion' – form 'jews'; distribution of the top 5 offences, including others; January to December 2023.

Differently, bias motives **against** the second most affected group of **'muslims'** (229 VM, 33 percent; **figure 41**) were dominated by **physical injuries** (64 VM, 28 percent), followed by **property damages** (51 VM, 22 percent), **dangerous threats** (35 VM, 15 percent), **incitements** (22 VM, 10 percent) and **insults** (15 VM, 7 percent).

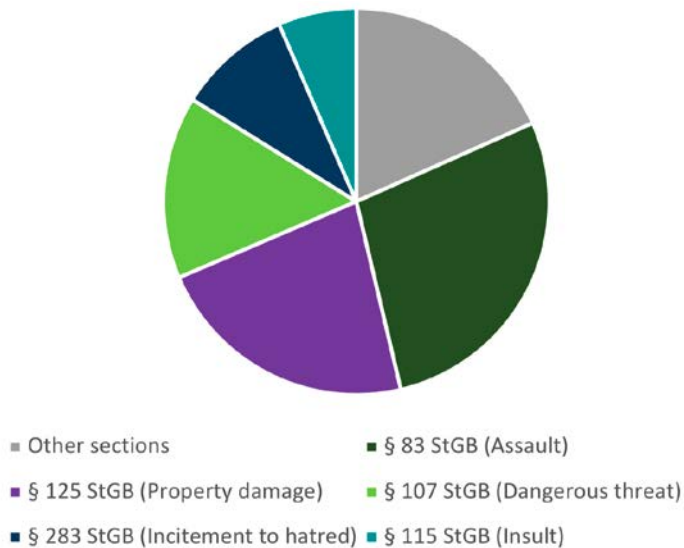


Figure 26: Bias motive 'religion' – expression 'Muslims'; distribution of the top 5 offences, including others; January to December 2023.

Every second of the 150 VM (78 VM, 52 percent) against ‘christians’ concerned (serious) property damages (figure 27). This is followed by a wide range of different offences: assaults (13 VM), vilifications of religious teachings (8 VM), offences relating to terrorist groups, dangerous threats and aggravated offences of theft (7 VM each).

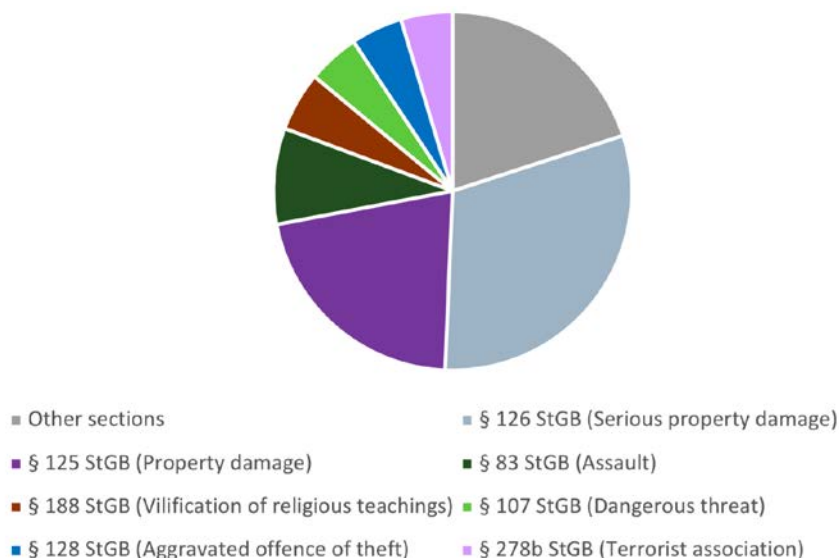


Figure 27: Bias motive ‘religion’ – form ‘christians’; distribution of the top 5 offences, including others; January to December 2023.

Under the category ‘religion’, form ‘others’, 8 percent of the motives were recorded (58 VM), most frequently property damages (14 VM, 24 per cent) were recorded.

553 suspects were involved and 65 percent were identified (= clearance rate). The majority of the suspects regarding the form ‘jews’ (58 TV, 29 percent) were between 25 and under 40 and 14 to under 18 years old (53 TV, 27 percent). The suspects regarding the form ‘muslims’ were even more often (83 TV, 37 per cent) between 25 and under 40 years old and above (61 TV, 27 percent) compared to those in the motive ‘jews’. The registered suspects in the victim group ‘christians’ were predominantly (27 percent) between 14 and under 18 years of age.

In connection with the form ‘christians’ 67 percent of the suspects were documented as Austrians and 33 percent as non-Austrian nationals, for the form ‘jews’ 75 percent Austrian and 25 percent non-Austrian suspects. Concerning the form ‘muslims’ 54 percent were registered as foreign nationals, a significant high for hate crimes (besides for ‘gender’) and 46 percent are Austrian suspects. In anti-semitic cases, the proportion of men is 83

percent (164 TV), as in cases against 'muslims' (83 percent, 185 TV) and a similar proportion of men was also registered for anti-Christian motives (84 percent).

26 percent of the bias motives against 'jews' were related to the 'internet' (see above for 'other location'). **Within** the bias motive 'religion' **73 percent of all 'internet' registrations** are accounted for this form. The bias motive 'religion' accounts for a total of **77 percent** of the location 'sacral sites' (**74 VM** total), **90 percent** of which is due to hostility towards 'christians' (51 out of 57 VM see above). **Public space** was also registered above average for the bias motive 'religion' (191 VM, 27 percent). For anti-religious motives, almost one in two in the 'public space' were registered as **anti-muslim** (93 VM, 41 percent within category).⁶⁰

In the quality check of the police officers' recording activities, numerous files were sifted that concerned the dissemination of video and photo material via social networks and messenger services with national-socialist (**nazi**) **content and its glorification** and were explicitly directed against people because of their jewish faith. Likewise, numerous **anti-semitic** property damages, dangerous threats (e.g. placing a kitchen knife on a rabbi's bicycle seat, 'torching like the jews') and insults (e.g. '...crapp* jews, 'jewish sw*nes') were perceived – including by showing the Hitler salute.

The **rejection** of the **muslim** religious affiliation of victims led, for example, to **physical attacks**, which were also accompanied by the tearing down of religious clothing and insults (e.g. 'crapp* moslems', 'crapp* muslim headscarf woman) and contained **dangerous threats** (e.g. 'I kill you').

Rejection of the protected characteristic of religion with the form 'christians' was often manifested in **property damages** to churches or to the walls of churches. For example, graffiti such as 'F*ck the clergy, '...idolatrous house, 'Heil Satan', 'sw*nepriest', throwing or smearing eggs or leaving faeces in or at churches.

5.7 Sexual orientation

Hate crimes for 'sexual orientation' are recorded in the forms 'bisexuals', 'heterosexuals' and 'homosexuals'. Often, perpetrators generalize specific dislikes towards all members of the LGBTIQ+ community, so that for example in the case of damage to a rainbow flag or of an incorrect designation, the affected groups 'divers/inter' or 'others' should also be documented under 'gender' on a case-by-case basis. A total of **446 motives** were documented in '**sexual orientation**' in 2023. This corresponds to **7 percent** of all VMs registered for 2023. Of these,

87 percent are **homophobic** bias-motivated crimes (only 9 percent fall under ‘bisexual’ and 4 percent under ‘heterosexual’).

Of all the bias motives, **‘sexual orientation’ has increased the most** compared to 2022, by **20 percent**. The three-year comparison also shows a shift in the ranking of the affected victim groups. In the first two years, the ranking of the four most frequently affected victim groups according to the recorded bias motives was always the same⁶¹, in **2023** the category **‘sexual orientation’ moved to 4th place** instead of ‘skin colour’.

Compared to the two previous years, there is an especially sharp **increase** (28 percent compared to 2022 and 30 compared 2021) in **homophobic bias motives (figure 28)**.

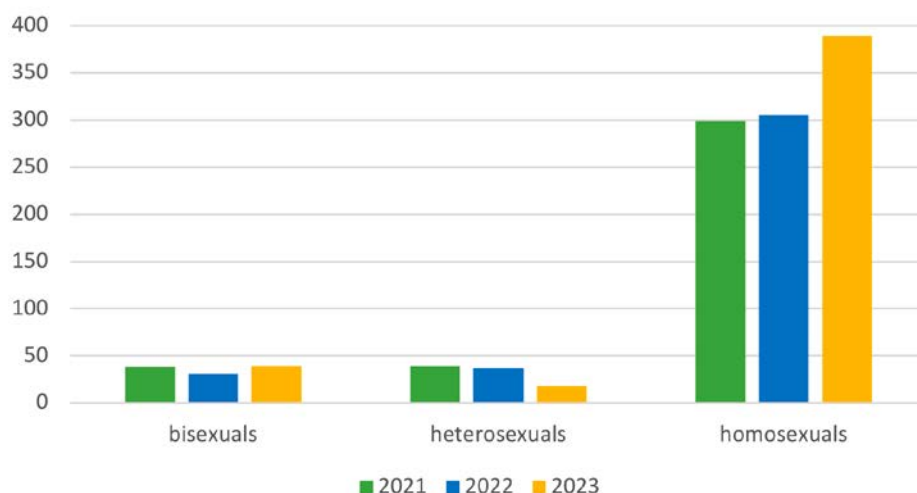


Figure 28: Police-registered bias motives, all forms of the category ‘sexual orientation’; January to December 2023.

A total of **36 percent** (140 VM) of the recorded bias motives based on **homosexual orientation** (total 389 VM) concerned **property damages**. In 15 percent (64 VM) **assaults**, in 11 percent (41 VM) **dangerous threats**, in 5 percent (21 VM) **thefts** and in 5 percent (20 VM) **insults** were subject of investigations. The proportion of property damages related to this victim group is therefore higher than the proportion of offences outside the TOP 5 offences for this group (**figure 29**).⁶²

⁶¹ Worldview, national/ethnic origin, religion, skin colour (2023: sexual orientation).
⁶² Within the other two expressions ‘bisexual’ and ‘heterosexual’, the number of bias motives for the respective offences is in the single-digit range. The situation is similar regarding the numbers of suspects. Therefore, the form ‘homosexual’ was singled out and the expression ‘bisexual’ is only presented in abbreviated form.

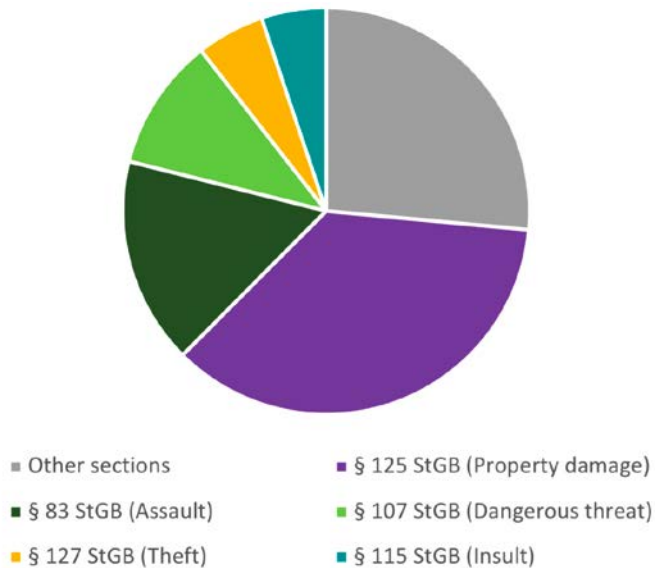


Figure 29: Bias motive 'sexual orientation' – form 'homosexual', distribution of the top 5 offences including others; January to December 2023.

Even though the data for the top 5 for **bisexuality** is in the single-digit range, a brief reference should be made to the ranking of property damages (8 VM, 21 percent) before dangerous threats (7 VM), assaults (6 VM), thefts (3 VM) and incitements to hatred (3 VM) (**figure 30**).

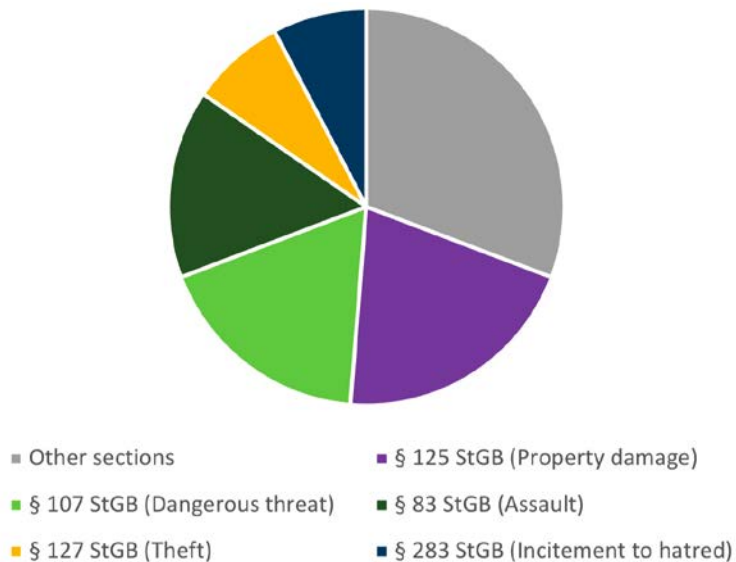


Figure 30: Bias motive 'sexual orientation' – form 'bisexual', distribution of the top 5 offences including others; January to December 2023.

In the context of 446 bias motives for 'sexual orientation', **348 suspects** were recorded. Therefore, **64 percent** of suspects were identified in 2023 (= clearance rate). The **suspects** in connection with **homophobic** bias motives were predominantly (109 TV, 36 percent) between 25 and under 40 and 14 to under 18 years old (90 TV, 29 percent) and the general proportion of **men** was 90 percent. The bias motives for '**sexual orientation**' were **70 percent** among **Austrians** and 30 percent among foreigners. In terms of **homosexual orientation** 72 percent of the suspects were Austrian, 28 percent had a non-Austrian nationality.

For none of the nine victim groups is the proportion of prejudice motives for **public spaces** as high as for '**sexual orientation**' with **47 percent** (see above). Among the forms of bias motives recorded under 'sexual orientation', people were targeted in public spaces because of the **homosexual orientation every second time** (192 VM) and **9 out of 10** registered **public space cases because of sexual orientation** were **homophobic**. One in three bisexual incidents also happened more often than average in this public space (14 VM).

In Austria, people have not only been confronted with numerous verbal, discriminatory, criminally relevant statements based on their 'homosexual orientation', but 'homosexual orientation' is still perceived as deviating from the norm, which is reflected in **example cases** of statements (e.g. 'being gay is sick, being gay can be cured'), but also by the fact that homosexual couples are physically attacked in public as a result of expressions of affection, but also due to an ascribed perception by perpetrators ('you fagg**, get out of my eyes, ... otherwise I'll kill you, I'll stab you). The visible wearing/showing of the rainbow flag also led to insults, acts of violence or acts in which flags were burned or damaged. Offenders have rarely made differentiation between the different forms of the bias motive 'sexual orientation'.

5.8 Social status

The recording of the category 'social status' is based on the open **wording and the objective of the aggravating circumstance**, § 33 para. 1 no. 5 Criminal Code, stipulating a demonstrative list of reprehensible, not only racist or xenophobic motives.⁶³ Under the bias motive 'social status' the forms '**homeless**' (because of their vulnerability and exposure according to experience) and '**others**' (with a mandatory free text field for a more detailed description) are available. Under '**others**' in 2023 bias motives due to the financial betterment/ disadvantage of people, unemployment or destitution were documented among other things. In the

63 *BMI, Hate Crime in Austria. Pilot report – Short version, 2021, pp.11 f. Fuchs, Walter, Pilot report. Hate Crime in Austria, pp. 22 ff*

context of the category 'social status', **questions of demarcation and special protection** of social groups arise regularly.⁶⁴

With **136 motives**, 'social status' was the **least recorded** in 2023, as in 2022.

Looking closer at the top 5 offences against '**homeless people**' in 2023 (**figure 31**), the third of **thefts** (including qualification; 14 VM) and the fifth of **assaults** (8 VM) were particularly significant, along with 10 percent of **serious coercions**. For '**others**' (**figure 32**) dominated the third of **property damages** (32 VM) and the ninth of **dangerous threats** (11 VM), ahead of **assaults** (10 VM) and violations of the **Prohibition Act** (8 of 95 VM).

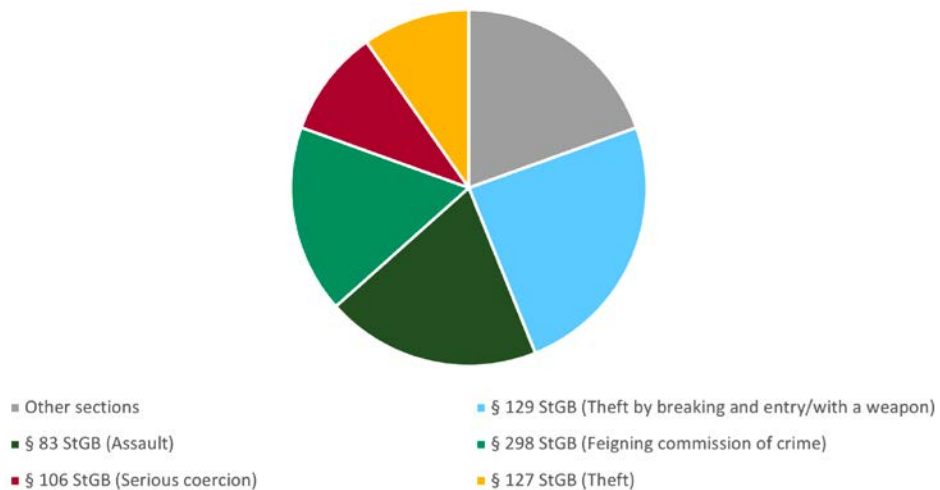


Figure 31: Bias motive 'social status' – form 'homeless'; distribution of the top 5 offences, including others; January to December 2023.

⁶⁴ Since police officers are especially protected as crime victims by the Criminal Code due to their extraordinary exposure, (so-called 'privilegations'), hate crimes are only rarely registered against this group. However, some rejections of 'western democracy' may give rise to case constellations that could justify recording them as hate crimes as they are not directed to the police as such.

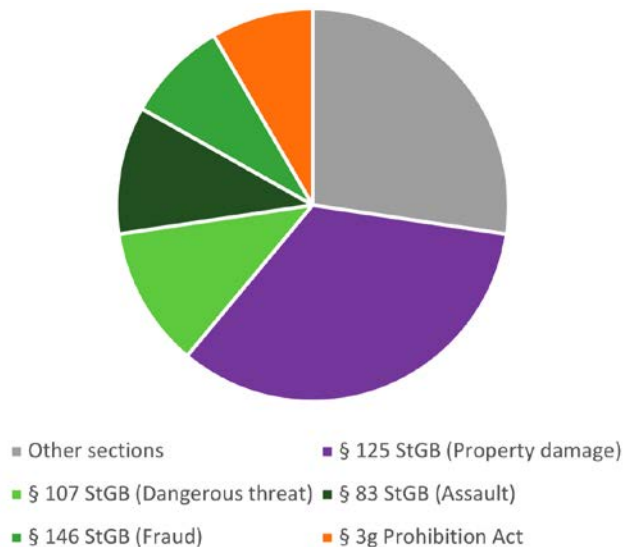


Figure 32: Bias motive 'social status' – form 'others'; distribution of the top 5 offences, including others; January to December 2023.

In both cases, **older suspects** are more likely to be registered, with those aged 25 and over accounting for more than **half of 'others' victims** (42 TV) in 2023 (84 percent male, 62 TV), the 25-39-year-olds (32 TV, 78 percent) and **male suspects** were even more dominant with the **form 'homeless'** (39 of 41 TV). Under this condition, in **63 percent** of the recorded bias motives applied to **Austrian** suspects with 37 percent to foreigners.

In the case of crime scenes, one third of 'social status' was recorded in **public spaces** (45 VM) before 18 percent in **semi-public spaces** (25 VM). However, the latter are twice as likely to be included overall in hate crime for this motive (6 percent). This is due to the **exposure of homeless people** (13 VM, 52 percent). No private crime scene was recorded for them in 2023.⁶⁵

Examples for 2023 are: Property damages (damages to paintwork or deflation of tires on expensive cars with leaflets left behind) and assaults to homeless people, addicts and people without work.

⁶⁵ Due to the wide variety of groups listed under 'others', it is not possible to provide further details.

5.9 Worldview

The category ‘worldview’, like most other bias motives, is derived directly from the list of protected characteristics of victim groups in the offence of incitement (Section 283 (1) no. 1 Criminal Code). As already mentioned above (table 3), this **bias motive** is by far the **most common** from the outset and the gap to the other motives, in particular to the second-placed motive ‘national/ethnic origin’, has been increasing (see figure 6 above). From 2022 to 2023 alone **registrations increased by 10 percent to 2,706 motives** (2021: 2,052; 2022: 2,466).

This increase is solely due to the **increase** of around **61 percent to 1,700 motives** for the **form ‘western democracy’** (2021: 692; 2022: 1,058). By contrast, the coverage of the victim group (parliamentary) ‘parties’ decreased by around a quarter to 400 (2022: 545) and the third subcategory ‘others’ by 30 percent to 606 in 2023 (2022: 863).

Since the publication of the 2021 pilot report, the evaluation of ‘offences under the **Prohibition Act**’ has allowed more specific statements on the strong dissemination of national-socialist-influenced (nazi) messages (**2023: 1,756 VM**). Whereas the category ‘**western democracy (without Prohibition Act)**’ makes it possible to present other **rejections of the basic social consensus** (e.g. equal treatment of men and women, tolerance of dissenters, freedom of conscience) and **of the democratic-liberal constitutional state (2023: 395 VM)**.

The following evaluations of the top 5 offences serve as a supplement to these two additional evaluations above, with violations of the **Prohibition Act** being the **most common offence** in all three categories.⁶⁶ Concerning ‘**western democracy**’ (**figure 33**), **Sections 3g and 3h** of the Prohibition Act already account for almost **75 percent** of all offences recorded (**1.267 VM**), concerning ‘**others**’ (**figure 34**) they comprise a **half** (307 VM) and concerning ‘parties’ (115 VM) 29 percent. **Property damages** are in second place for ‘western democracy’ by 10 percent (169 VM), comprise 21 percent under ‘others’ (129 VM), but they are in the **first place** for ‘parties’ (e.g. election posters, party premises) by 39 percent and 157 motives (**figure 35**). **Dangerous threats** are in third place for ‘others’ (49 VM) and ‘parties’ (27 VM) and in fifth place for ‘western democracy’ (36 VM). The latter also shows incitements (60 VM), ‘others’ (23 VM) and ‘parties’ (14 VM) assaults.

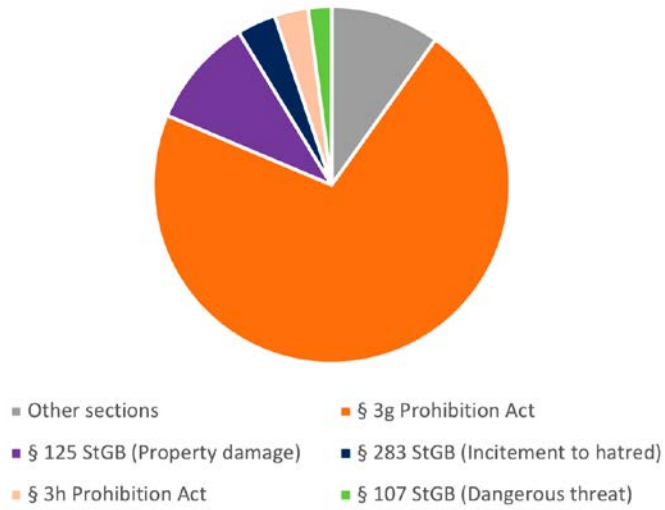


Figure 33: Bias motive 'worldview' – form 'western democracy'; distribution of the top 5 offences, including others; January to December 2023.

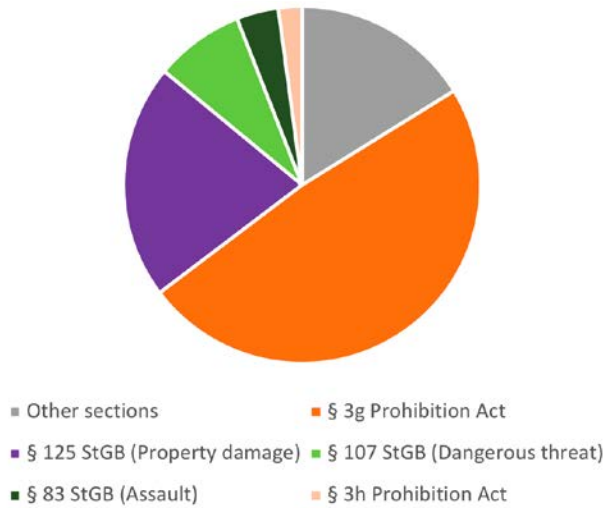


Figure 34: Bias motive 'worldview' – form 'others'; distribution of the top 5 offences, including others; January to December 2023.

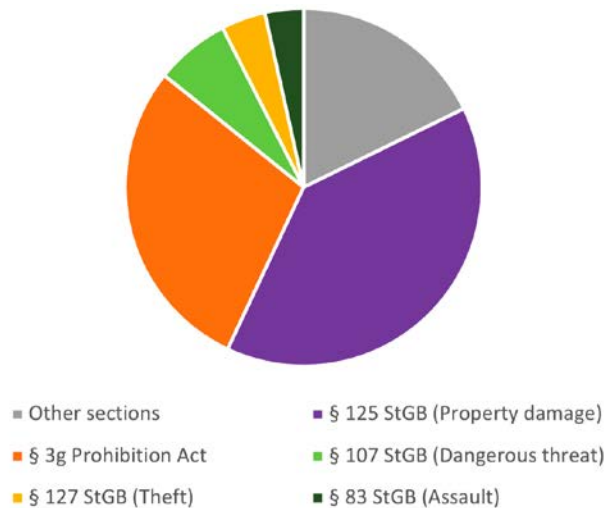


Figure 35: Bias motive 'worldview' – form 'parties'; distribution of the top 5 offences, including others; January to December 2023.

Among the suspects, the **equal age distribution of all age groups and male dominance** (87 percent) are noticeable in **'western democracy'**, where in particular the group 40 + (430 out of 1,491 TV in total, 29 percent) and 14 under 18 years (394 TV, 26 percent) hold the scales, even the group 25 under 40 is similarly represented (343 TV). The suspects aged 25 and above, and above 40, have the preponderance in **'parties'** (145 TV of 214 TV, 68 percent) and **'others'** (279 TV of 458 TV, 61 per cent), with the first mentioned being slightly more dominated by men (88 percent) than the latter (84 percent). The **proportion of foreigners is relatively low** for all three (18 percent overall), so that **82 percent of Austrian** suspects were counted.

In addition to the above, significant observation on crime scenes (figures 11-13) the category **'worldview'** has the **highest proportion** of crimes on the **internet**, it should also be noted here that violations of the **Prohibition Act** are strongly dominated by the Internet (721 VM, 41 percent) and **hostilities towards parties** were recorded mainly for **public places** (157 VM, 39 percent).

Examples from 2023 are briefly listed below: Violations of the Prohibition Act ('H**l Hitler', swastika tattoos, 'SS' etc.); partly anti-semitic memes with Hitler glorifications, denials of the Holocaust, online sales of nazi devotional objects), property damages (destruction of election posters, graffiti with a national-socialist (nazi) or anarchist/anti-fascist reference relating to the Ukraine or Middle East conflict or islamist calls for jihad, incitements (incite-

ment to murder against EU politicians or 'globalists'; threatening with gassing/violence e.g. against LGBTIQ+ community; agitation against 'climate activists' and assaults.

The recording under the category 'worldview' poses particular challenges for the police. On the one hand, there is little case-law on the term 'worldview' and there is often a lack of clarity regarding the subsumption of (new) phenomena under this term. On the other hand, national socialist images are often disseminated for example in WhatsApp groups. These require not only classifications under criminal law, but each image also has to be assessed with regard to the selection of the victim group concerned.

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