**(Erledigung des BMEIA vom 30. April 2020**

1. To what extent has there been an increase of violence against women, especially domestic violence in the context of the COVID- 19 pandemic lockdowns? Please provide all available data on the increase of violence against women, including domestic violence and femicides, registered since the beginning of the COVID-19 crisis.

In the period from 1 January to 26 May 2020 inclusive, a total of 4,721 barring orders were issued throughout Austria (these statistics do not provide gender diaggregated data).

January: 935

February: 879

March: 972

April: 1,076

until 26 May: 859

The rise in April caused by the lockdown is visible, but was less than many feared or predicted.

**Prevention:** Comprehensive information offensive: In order to inform as many ("potentially") affected victims of domestic violence as possible, information flyers on local support are available in cases of domestic violence have been designed have been printed and distributed in food stores (large chains with multiple locations throughout Austria). In addition, comprehensive information on domestic violence including a list of victim protection facilities and emergency contacts is available online https://www.bundeskanzleramt.gv.at/agenda/frauen-und-gleichstellung/gewalt-gegen-frauen/hilfseinrichtungen.html; furthermore an information campaign in daily newspapers has started in April. (BKA)

In order to reach out to non-German-speaking women, the abovementioned information flyers are being translated into the relevant foreign languages.

**Sensitization of the wider public** - press conferences: In order to draw attention to the increased risk of domestic violence due to restrictions and to disseminate the support services available and further measures taken, press conferences were held by the Minister for Women's Affairs, the Minister for Family Affairs and the Minister for Justice.(BKA)

2. Are helplines run by Government and/or civil society available? Has there been an increase in the number of calls in the context of the COVID-19 pandemic?

Yes, helplines are available.

In the context of „an offensive against domestic violence”, attention has been drawn increasingly to specific offers like a woman`s helpline against violence 0800 222 555. The helpline is completely free, anonymous, and available twenty-four-seven 365 days a year. It refers pointedly to regional women protection devices and advice centres. In addition to the telephonic advice there is an online consulting under <https://www.haltdergewalt.at/>. The help chat is a virtual advisory body for women and girls who live in an environment of psychic, physical and sexual violence.

Since the introduction of exit restrictions in March 2020, an increase in calls of approximately 50% has been reported.

In order to minimize personal contacts at the beginning of the COVID-19 pandemic in Austria, counselling services offered by victim protection institutions have mainly been provided by telephone, via e-mail or online. Personal contacts have been reduced to the bare minimum, though are being taken up step by step as of lately.

Funding of the national 24/7 helpline has been increased to expand online counselling services (via increase of service hours and staff).

Support via the “help chat” was expanded both in terms of accessibility (extension of the time frame) and in terms of foreign-language counselling.

Furthermore a specific helpline for men at risk of resorting to violence due to the stress factors increased by the Corona Crisis has been newly established. It is run by men's counselling centres working with a victim protection-oriented approach. The help line is available from Monday to Friday from 10 a.m. to 6 p.m. at local rates throughout Austria; communication is also offered via e-mail.

Additionally, counselling and support centres in each federal state are supported by the Women’s Ministry to guarantee Austrian-wide support networks.

3. Can women victims of domestic violence be exempted from restrictive measures to stay at home in isolation if they face domestic violence?

From the point of view of the Federal Ministry of the Interior, this question does not arise, because if a female person is at risk, the prohibition of entry and approach (§ 38a Security Police Act - SPG) is issued to the person at risk and the latter must leave the accommodation.

4. Are shelters open and available? Are there any alternatives to shelters available if they are closed or without sufficient capacity?

A variety of support facilities were and are still available throughout Austria. Detailed information for all support offers can be found on the homepage of the BKA under:

https://www.bundeskanzleramt.gv.at/en/agenda/women-and-equality/violence-against-women/aid-facilities.html

https://www.integrationsfonds.at/newsbeitrag/frauen-und-integrationsministerin-raab-und-oeif-2-mio-euro-fuer-projekte-gegen-gewalt-an-frauen-5286

Close co-operation between health authorities, victim protection institutions and the police: In order to maintain the protection of victims in shelters (such as women's shelters, sheltered housing, etc.) in suspected cases of infection, victim protection institutions work closely with the health authorities (no case known so far). The same applies in cases of (suspected) infection of perpetrators barred from home; here the police cooperate closely with the health authorities in order to avoid a risk to victims in case of a necessity of quarantine.

The women's shelters have taken measures to provide the highest attainable level of protection for residents and staff against infection. At present, the reception capacities are sufficient. In addition, the federal states have made provisions for the availability of alternative accommodations.

5. Are protection orders available and accessible in the context of the COVID19 pandemic?

Yes.

The “Protection against Violence Act” has unlimited validity regardless of the COVID-19 protection measures. In response to exit restrictions, filing restraining orders has been simplified: Under normal circumstances a restraining order needs to be applied for in person at the respective district court of the victim's place of residence. For a limited time-period due to the COVID-19 pandemic an application for a restraining order can be submitted to the relevant court via post, e-mail or fax. Support to prepare and submit the application is offered by the Victim Protection Facilities and the Police.

6. What are the impacts on women's access to justice? Are courts open and providing protection and decisions in cases of domestic violence?

Throughout the COVID-19-pandemic, courts have provided protection by issuing interim injunctions for protection against violence and of privacy. Moreover, the criminal prosecution of perpetrators and the access to the courts for victims of domestic violence is and has been secured at all times during the COVID-19 crisis. There are and there were **no restrictions in this respect.**

Due to the COVID-19 pandemic, two measures have been implemented to make it easier for victims of violence to obtain **interim injunctions for protection against violence**:

Firstly, victim protection and support facilities have been granted **extended powers of representation**: Suitable victim protection and support facilities in accordance with Section 25 (3) of the security police law (Sicherheitspolizeigesetz) can represent victims of violence to a limited extent for the duration of the restriction of freedom of movement due to the COVID-19 pandemic. The powers of representation include the filing of applications for interim injunctions for protection against violence and for protection of privacy pursuant to Sections 382b, 382e and 382g on the Act of the Enforcement of Judgements and other written pleadings (except for legal remedies). The victim protection and support facility can refer to the granted power of representation without having to show the written mandate to the court. If possible, the legal documents should be submitted via the electronic legal communications system (Elektronischer Rechtsverkehr; ERV), otherwise also by email if the court has been notified by telephone before.

Secondly, **persons who are in quarantine** under the Epidemic Act (Epidemiegesetz) can also file an application to obtain an interim injunction for protection against violence perusant to Sections 382b and 382e on the Act of the Enforcement of Judgements **through the police**. For this purpose, a form was created which has to be handed out to the victim along with an information sheet after the police has issued an expulsion and prohibition to return order. The documents were translated into six languages in total. After the application to obtain an interim injunction has been handed over to the police, the expulsion and prohibition to return order is automatically extended by two weeks. The police has to submit the application including documentation (for example, the report of the incident) immediately to the court, if possible via the electronic legal communications system (ERV).

8. Please provide examples of obstacles encountered to prevent and combat domestic violence during the COVID- 19 lockdowns.

The public prosecution offices largely reported that there were no relevant difficulties in preventing and combating domestic violence during the lockdown. Only a few prosecution offices stated that **due to the restrictions** imposed by the federal law on accompanying measures to COVID-19-pandemic in the judiciary (Art.21 of the 2nd Covid19 Act according to which personal contacts had to be reduced to the essentials to prevent the spread of the disease) in some cases, **the transmission of files** by the criminal police **had been delayed** and **adversarial interrogations had been postponed**. In some cases, court hearings had been postponed. In fact, during the lockdown, court hearings had to be limited to absolutely urgent cases in order to maintain the proper administration of justice.

9. Please provide examples of good practices to prevent and combat violence against women and domestic violence and to combat other gendered impacts of the COVID-19 pandemic by Governments.

The Austrian federal government has compiled a comprehensive package of measures to ensure continued support for women affected / threatened by (sexual) violence throughout the COVID-19 pandemic and to respond to the prevailing situation with specific measures:

* In order to draw attention to the increased risk of domestic violence and to inform the broad public about the extensive net of support services available and further measures taken, several press conferences were held by the Minister for Women's Affairs, the Minister for Family Affairs, the Minister for Justice and the Minister of the Interior.
* In addition, information [flyers on local support available in case of domestic violence](https://www.bundeskanzleramt.gv.at/agenda/gewalt-gegen-frauen.html) have been distributed in food stores. Also, a [brochure giving a nation-wide overview](https://www.bundeskanzleramt.gv.at/agenda/gewalt-gegen-frauen.html) on victim protection facilities has been made available online in multiple languages in order to inform as many ("potentially") affected victims of domestic violence as possible.
* Furthermore, an information campaign has been started in daily newspapers, television and social media to promote the 24/7 Helpline, the [helpline for men](https://www.maennerinfo.at/) and the newly established website [“Sicher zu Hause”](https://bmi.gv.at/614/start.aspx) (Safe at Home).
* To support women’s and girls’ counselling centres an information on the COVID-measures was published on the [website of the Federal Chancellery](https://www.bundeskanzleramt.gv.at/service/foerderungen-des-bundeskanzleramtes/frauenprojektfoerderungen.html).
* The process of filing a restraining order has been simplified. The police hands over the application form for a restraining order directly to the victim, when issuing a protection order or when checking compliance with it (within 3 days of issue). In addition, there is the possibility of filing a restraining order electronically.

The public prosecutor’s offices mentioned as examples of good practices that video and telephone conferences between the public prosecutor’s offices, the Regional Courts, the regional police head-offices as well as the victim protection and support facilities had taken place on a regular basis, and that these technical options had also been used by the Burgenland victim protection and support facility when advising women.

In addition to that, the public prosecutor’s offices stated that the effective awareness-raising campaign carried out by the Federal Government was crucial for the prevention of criminal offenses in the social circle. In order to draw attention to the increased risk of domestic violence due to restrictions and to disseminate the support services available and further measures taken, press conferences were held by the Minister of Women's Affairs, the Minister of Family Affairs and the Minister of Justice.

The website of the Federal Ministry of Justice (<https://www.justiz.gv.at/home/covid-19~7a5.de.html>) offers a Covid-19 sub-link for the public (in German language), containing

* general information on Covid-19 specific measures at court and prosecution services,
* a Covid-19 “questions & answers” section, and
* specific information on Covid-19 related laws, respective amendments and ministerial orders.

Links were set to Covid-19 awareness raising websites from other Federal Ministries and NGOs. Victim protection and support facilities were advised on Covid-19 measures at court and prosecution services and are updated regularly.

Covid-19 specific measures were not only introduced for victims of domestic violence, cybercrime and hate crime but for all victims of crime as follows:

* The courts and prosecution services received Covid-19 guidelines from the Federal Ministry of Justice and were equipped accordingly (surgical masks and helmets, acrylic glass barriers, etc.).
* Respective equipment is available for and offered to victims, too.
* Courts and prosecution services are advised to increasingly make use of video conferencing tools.

10. Please provide examples of good practices to prevent and combat violence against women and domestic violence and to combat other gendered impacts of the COVID-19 pandemic by NGOs and NHRIs or equality bodies.

Please also refer to the answer to question 4.

The government is in constant contact with victim protection institutions. This allows for ongoing adjustments / extensions of measures to be identified.

Regarding other gendered impacts of the COVID-19 pandemic with relation to equality bodies:

• Currently, the time limits for filing cases have been extended in the Equal Treatment Act (§ 60 GlBG) and the Federal Equal Treatment Act (§ 46a B-GlBG).

• While the Equal Treatment Commission’s area of responsibility does not cover domestic violence, it is responsible for complaints regarding sexual harassment in the work place. There was no significant increase of complaints filed at the Commissions during the COVID-19 pandemic regarding sexual harassment.

• The next dialogue with NGOs active in antidiscrimination in scheduled for the Q4 2020; the topic of this exchange is to be determined.

Consideration has been given also to further aspects of gendered impacts of the COVID-19 pandemic and its related containment measures:

• Simplified filing for advance maintenance payments by the State: In order to prevent financial bottlenecks (and to avoid possible dependencies arising from them), access to advance maintenance payments by the State for single parents has been simplified (acceleration of the procedure, no application for execution required).

• “Special care time“ (Sonderbetreuungszeit) for children: On March 16th, a new federal law came into force which allows employees to be granted a special care period of up to three weeks for the care of children until the age of 14. An agreement with the employer is necessary, however. For the duration of the special care period, the employee retains their full entitlement to continued remuneration.

The Ministry of Social Affairs, Health, Care and Consumer Protection (BMSGPK) particularly supports initiatives and projects that increase the ability to deal with conflict and non-violent conflict resolution, as well as awareness-raising measures and activities to prevent violence.

The following ongoing projects have been funded by the BMSGPK – as examples of existing measures also dealing with the effects of the COVID-19 crisis on violence:

* The "Pallas" project by "samara - Association for the Prevention of Sexualized Violence" is devoted to the development and implementation of specific concepts for preventing violence for teachers, girls and boys and their parents with a migration background.
* Fighting FGM by the African Women's Organisation: The goal of the project is the prevention and elimination of Female Genital Mutilation in Austria. The project is a contribution to the national action plan "Protection of women against violence".
* 18th conference of “Friends of the Vienna network against sexual violence against girls, boys and adolescents” on 16th November 2020: The aim of the conference is that traumatized children and adolescents affected by various forms of violence are increasingly offered health-promoting services by psychosocial experts
* Training and awareness raising by specialists in the "WAVE training academy" for the prevention of violence: A key goal of the training academy is to contribute to the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, particularly in the areas of prevention, integration of the topic into the curricula of relevant professional groups and implementation of training for different professional groups.
* "Training and implementation of StoP: districts without partner violence" by the Autonomous Austrian Women's Shelters Association: StoP aims to develop good neighbourhoods, prevent violence and serious violence, and to achieve non-violent relationships.
* Training course on raising awareness and dealing with (suspected) cases of domestic violence, sexual abuse and other cases of hardship as part of the supervised visits funded by the BMSGPK.
* Federal Working Group on Victim Protection-oriented Perpetrator Work (BAG-OTA): The overarching goal of the BAG-OTA is the development and practical implementation of victim protection-oriented offender work in Austria in order to end violence sustainably.
* Victim protection-oriented offender work with men who use violence in their partnership (Association Men and Gender Issues Styria)
* "Training for men to end violent behaviour in couple relationships & support programme for victims" according to OTA offender work standards (Vienna Men’s Counseling Center)
* "Training programme for fathers and stepfathers for non-violent education" (Vienna Men’s Counseling Center)
* "Brave girls - violence prevention workshops for girls and young women" by the organisation "wendepunkt - women for women and children"
* Film "step by step. Ways out of violence. Episode IV: Concrete assistance for older people affected by violence with a focus on women"
* Workshops on violence prevention for employees in inpatient nursing and care facilities
* Project Counseling Telephone "Violence and Old Age"
* "PROSPECT:EMPLOYMENT - economic and social empowerment of women affected by violence": Psychosocial care, measures for financial stabilization, qualification and job coaching are coordinated and combined. The project is currently implemented in two federal states - a gradual nationwide roll-out is envisaged.11. Please send any additional information on the impacts of the COVID- 19 crisis on domestic violence against women not covered by the questions above. BKA, BMI, BMJ, Sozialministerium

Constant contact between victim protection institutions and the Minister for Women's Affairs (women's department): It is not sufficient to take measures solely linked to violence directly. Consideration must also be given to the framework conditions that particularly affect women. In response, inter alia, the following measures have been taken:

• Simplified filing for advance maintenance payments by the state: In order to prevent financial bottlenecks (and to avoid possible dependencies arising from them), access to advance maintenance payments by the state for single parents has been simplified (acceleration of the procedure, no application for execution required).

• “Special care time” (Sonderbetreuungszeit) for children: On 16 March, a new federal law came into force which allows employees to be granted a special care period of up to three weeks for children until the age of 14, who are subject to compulsory care. For the duration of the special care period, the employee retains his or her full entitlement to continued remuneration.

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• “Special care time” (Sonderbetreuungszeit) for children: See answer to question 10.

* In 2020 the Austrian Integrations Fund (ÖIF) issued a call for funding concerning “projects against violence and to strengthen women and girls in the context of integration in all Austria”. Therefore, € 2 million are provided for projects with a duration from 1.10.2020 to 31.12.2021. Details are found under:

https://www.integrationsfonds.at/newsbeitrag/frauen-und-integrationsministerin-raab-und-oeif-2-mio-euro-fuer-projekte-gegen-gewalt-an-frauen-5286