



Freedom in the World - Austria (2011)

Capital: Vienna

Political Rights Score: 1 *

Population:
8,374,000

Civil Liberties Score: 1 *

Status: Free

Overview

Incumbent president Heinz Fischer of the Social Democratic Party of Austria won a second term in the April 2010 presidential election, but the far-right Austrian Freedom Party's candidate received a sizeable percentage of the vote. The Freedom Party also picked up a substantial number of legislative seats in Vienna's state elections in October. The balance between freedom of speech and Austrian hate-speech laws drew increased attention during the year as objectionable statements, mainly against Islam, came under scrutiny.

Modern Austria, which emerged from the collapse of the Austro-Hungarian Empire in World War I, was annexed to Nazi Germany in 1938 before being restored to independence after World War II. The country remained neutral during the Cold War and joined the European Union in 1995.

From 1986 until 2000, the two largest political parties—the center-left Social Democratic Party of Austria (SPÖ) and the center-right People's Party of Austria (ÖVP)—governed together in a grand coalition. The 1999 elections produced the first government since 1970 that did not include the SPÖ. Instead, the ÖVP formed a coalition with the Freedom Party of Austria (FPÖ), a far-right nationalist party that won 27 percent of the popular vote. Its support had risen steadily as voters became disaffected with the large parties' power-sharing arrangement and its barriers to major political change. In 2000, the European Union (EU) briefly suspended ties with Austria in response to the FPÖ's inclusion in government, though perceived EU interference only bolstered the party's support.

Due to the sanctions, the controversial Jörg Haider stepped down as FPÖ leader, and Austrian politics returned to near normality as the party was moderated by the day-to-day realities of governing. After an internal leadership struggle, the FPÖ withdrew from the coalition in September 2002. Parliamentary elections that November saw the FPÖ's share of the vote fall to 10 percent. It rejoined the coalition with the ÖVP, but as a decidedly junior partner. Subsequent poor election performances, including in European Parliament elections, widened rifts within the party. Most of its members of parliament, as well as Haider, left in 2005 to form the Alliance for the Future of Austria (BZÖ), which later became the ÖVP's junior coalition partner.

In October 2006, parliamentary elections confirmed an ÖVP decline, with the SPÖ winning by a small margin and the two parties forming another grand coalition. The SPÖ secured the chancellery, but other top positions went to the ÖVP. In the summer of 2008, the ÖVP announced its exit from the coalition amid political battles over health, tax, and pension reforms, as well as policy toward the EU.

In September 2008 elections, the SPÖ and ÖVP lost ground to the BZÖ and FPÖ, which were buoyed by xenophobic sentiment, skepticism toward the EU, and frustration with the squabbling grand coalition. However, both the SPÖ and the ÖVP refused to form a coalition with the far right, and in late 2008 they agreed to revive their alliance.

The February 2009 state elections suggested a continued movement toward the right, with the SPÖ

suffering dramatic losses. The ÖVP retained power in Upper Austria and Vorarlberg, but the FPÖ nearly doubled its presence in both regions as it absorbed support from the much-diminished BZÖ. However, the ÖVP again ruled out a coalition with the FPÖ.

Incumbent Heinz Fischer of the SPÖ won a second term as president in an April 2010 election. He took around 80 percent of the vote, defeating FPÖ candidate Barbara Rosenkranz and Christian Party of Austria (CPÖ) candidate Rudolf Gehring, with some 16 percent and 5.5 percent, respectively. Voter turnout was a historic low of about 54 percent.

In October 2010 state elections in Vienna, the SPÖ lost its absolute majority in the legislature for only the second time since World War II, though it still led with 44.2 percent of the vote (down from 49.0 percent in 2005). The FPÖ placed second with 27 percent (up from 14.9 percent in 2005), while the ÖVP faced its worst-ever result in Vienna with only 13.2 percent (down from 18.8 percent in 2005).

Members of the Habsburg family, which ruled the Austro-Hungarian Empire until 1918, applied to the country's Constitutional Court in 2009 for an end to a ban prohibiting them from running for Austria's largely ceremonial presidency. In December 2009, the Constitutional Court ruled that the Habsburgs could proceed with an appeal only after a family member had applied as a candidate and been formally rejected. In October 2010 it was announced that Ulrich Habsburg-Lothringen would take the dispute to the European Court of Human Rights.

Political Rights and Civil Liberties

Austria is an electoral democracy. The lower house of the Federal Assembly, the Nationalrat (National Council), has 183 members chosen through proportional representation at the district, state, and federal levels. Members serve five-year terms, extended from four in 2008. The chancellor, appointed by the president, needs the support of the legislature to govern. The 62 members of the upper house, the Bundesrat (Federal Council), are chosen by state legislatures.

Though Austria has competitive political parties and free and fair elections, the traditional practice of grand coalitions has fostered disillusionment with the political process. Minority participation in government remains frustrated despite the large number of foreigners in Austria.

Tightened campaign donation laws have reduced political corruption in recent decades. However, the 2006 collapse of Bawag, a union-owned bank with strong ties to the SPÖ, led to a flurry of media stories about bad loans, concealed losses, and lavish lifestyles among executives. Austria was ranked 15 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The media are free, though not highly pluralistic. The end of a monopoly by the state broadcaster, ÖRF, has not brought significant competition, and print media are concentrated in the hands of a few owners. Harassment and libel lawsuits by politicians—notably from the FPÖ—against critical journalists have hampered the work of reporters. There are no restrictions on internet access.

Pro-Nazi and anti-Semitic speech and writing are banned. In 2005, a British historian was arrested on charges of Holocaust denial and later sentenced to three years in prison. During 2008, the FPÖ campaigned in favor of relaxing some bans on Nazi symbols. A number of recent high-profile court cases have centered on the balance between freedom of speech and hate-speech.

Religious freedom is respected and constitutionally guaranteed. Thirteen officially recognized religions can draw on state funds for religious education. Obtaining this status requires a membership equaling at least 0.05 percent of Austria's population and a period of 10 years as a "confessional community" with fewer privileges. Academic freedom is respected.

Freedoms of assembly and association are protected in the constitution and in practice. Civic and nongovernmental organizations operate without restrictions. Trade unions are free to organize and strike, and are considered an essential partner in national policymaking.

The judiciary is independent, and the Constitutional Court examines the compatibility of legislation

with the constitution. Austria is a member of the Council of Europe, and its citizens have recourse to the European Court of Human Rights. The quality of prisons generally meets high European standards.

Residents are usually afforded equal protection under the law. However, immigration has fueled some resentment toward minorities and foreigners; Austria has one of the world's highest numbers of asylum seekers per capita. The Office of the UN High Commissioner for Refugees (UNHCR) has criticized Austria's asylum law, which is among the strictest in the developed world. Some asylum seekers can be deported while appeals are pending, and new arrivals are asked for full statements within 72 hours.

A 1979 law guarantees women's freedom from discrimination in various areas, including the workplace. A 1993 law sought to increase women's employment in government agencies, where they were underrepresented. The June 2009 Second Protection Against Violence Act increased penalties for domestic violence and authorized further measures against chronic offenders.

In December 2009, the parliament adopted legislation permitting civil partnerships for same-sex couples. The new law provides them with equal rights to pensions and alimony and allows them to take each other's names, but does not provide them with the same adoption rights as married couples.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*