



# **European Semester 2022-2023 country fiche on disability equality**

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# European Semester 2022-2023 country fiche on disability equality

With comparative data Annex provided by EDE

## Austria

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European Disability Expertise (EDE) provides independent scientific support to the Commission's policy Unit responsible for disability issues. It aims to mainstream disability equality in EU policy processes, including implementation of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD).

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<sup>1</sup> For an introduction to the Semester process, see:  
<https://www.consilium.europa.eu/en/policies/european-semester/how-european-semester-works/>.

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## **1 Executive summary and recommendations**

### **1.1 Key points and main challenges for Austria in 2022**

As mentioned in the previous Semester report 2021-2022, in Austria, the main challenge is that disability politics and policies are still perceived and implemented as an add-on rather than cross-cutting. The UN CRPD provisions and recommendations are implemented only partially. The impact of the COVID-19 pandemic and drafting of the new National Action Plan Disability 2021-2030 takes the attention of key stakeholders which compounds the lack of public discussion.

#### **Disability and the labour market**

Participation in the open labour market remains a challenge for persons with disabilities. Although the unemployment rate of persons with disabilities is slightly decreasing, the average duration of unemployment is still significantly higher for persons with disabilities than for persons with disabilities. Accessing the general labour market is particularly difficult for persons with more profound disabilities. There is no systematic strategy to counteract the significant increase of persons with disabilities who attend sheltered workshops. The constitutional fragmentation of competencies not only makes data collection, evaluation and planning difficult, but also produces barriers for the transition to a more inclusive labour market.

#### **Disability, social policies and healthcare**

As mentioned in the previous Semester report (2021-2022), with regard to social policies, the situation of persons with disabilities deteriorated during recent years. It is necessary to adapt policies and measures to the challenges of the COVID-19 pandemic – with regard to healthcare, and also to social policies as such. Missing political will to implement measures to include persons with disabilities in society, the fragmentary implementation of the UN CRPD via the National Action Plan (NAP) 2012-2020, and the challenges already facing the new National Action Plan 2022-2030, will hamper necessary changes of social policies in the future.

#### **Disability, education and skills**

There is a profound lack of detailed and more meaningful data of the educational situation of children with disabilities in Austria. Recent findings indicate a backwards development with regard to inclusion and an equal access to education for young persons with disabilities, particularly those with more profound disabilities. There is still a strong tendency to rely on special schools as well as on special vocational institutions.

#### **Investment priorities for inclusion and accessibility**

The evaluation of Youth Coaching, co-funded by European Social Fund (ESF) indicates positive effects on young people with disabilities although a more detailed analysis for this target group would be worthwhile. New segregating institutions are built and co-funded by the European Agricultural Fund for Rural Development (EAFRD), one example is a residential facility only for children with disabilities in Carinthia. An effective strategy for deinstitutionalisation is missing.

## 1.2 Recommendations for Austria

These recommendations are based on the evidence and analysis presented in the following chapters of our report.

**Recommendation:** Prioritise measures of the NAP Disability 2022-2030 which aim at comprehensive data collection and analysis regarding the situation of all persons with disabilities in Austria. All findings must be published as soon as possible.

**Rationale:** The lack of comprehensive information regarding the employment situation of all persons with disabilities in Austria makes an evaluation of the current situation as well as the elaboration of effective strategies for an inclusive labour-market impossible.

**Recommendation:** Ensure the right to education for young persons with disabilities, including those with profound disabilities, up to the age of 25 years.

**Rationale:** The period for compulsory education is nine years in Austria. This is a disadvantage particularly for young people with more profound disabilities for whom it can be impossible to receive any further education or training after compulsory school.

**Recommendation:** Define and make visible persons with disabilities as a distinct target group for policy priorities of the European Semester and recovery plans.

**Rationale:** Persons with disabilities are almost completely invisible as a distinct target group in the Recovery and Resilience Plan (RRP), measures described do not consider disability equality and accessibility. An evaluation of the ESF programme in Austria showed that although Disability Mainstreaming and Accessibility were defined as horizontal targets, Austria fails to implement these principles. This is supported by evidence on employment and education. There is a high need for sensitisation and the building of know-how regarding the effective inclusion of persons with disabilities for programme development and programme implementation in line with the CRPD as well as with the Strategy for the rights of persons with disabilities of the EU.

**Recommendation:** Address persons with disabilities in current and future preventive approaches towards fighting the negative impact of the ongoing COVID-19 crisis.

**Rationale:** In the context of the current societal and political challenges caused by the COVID-19 pandemic, persons with disabilities become even more invisible. Policies need to address the support needs of persons with disabilities in all areas of policymaking as the current pandemic has the potential to even deteriorate the already difficult situation for persons with disabilities in Austria.

**Recommendation:** An effective strategy for deinstitutionalisation should be elaborated which includes community-based services fostering inclusive education, employment and independent living.

**Rationale:** Austria still relies on special institutions for children as well as adults with disabilities, particularly for those with more profound disabilities. New segregating institutions are still built, there is neither a clear policy nor a distinct programme to counteract this problem.

## 2 Mainstreaming disability equality in the 2022 Semester documents

### 2.1 Country Report (CR) and Country Specific Recommendation (CSR)

The following key points highlight where a disability perspective was considered, or should be considered, in the Country Report (CR) / Country Specific Recommendation (CSR). We address the most relevant of these in the next chapters.

A disability perspective was considered in the Country Report (CR) in Annex 12 in Table A12.1 (Social Scoreboard for Austria) with regard to fairness in the context of employment, skills and social policy challenges in the light of the European Pillar of Social Rights: In Table A12.1, the disability employment gap (ratio) for 2020 is mentioned with 20.5 (better than average).<sup>2</sup>

On page 44, a disability perspective was considered with regard to institutionalisation, arguing that '(t)he many people with disabilities that are living in institutions remains a challenge, calling for an effective deinstitutionalisation strategy. This deinstitutionalisation strategy should include community-based services fostering inclusive education, employment and independent living facilities'.<sup>3</sup>

Even though the aspect of (de)institutionalisation is a very important one and for the first time explicitly mentioned in the CR, there are still many other aspects regarding the situation of persons with disabilities in Austria, where a disability perspective is missing in the CR: generally speaking, the economic and employment situation of persons with disabilities should be explicitly mentioned in the CR (not only in a Table). Also, the implementation of the RRP should directly address challenges for persons with disabilities and ways / measures to remove these challenges. This also applies to the section in the CR called 'Further Priorities Ahead', where an explicit disability perspective is missing when addressing long-term care, the healthcare and the pension systems.<sup>4</sup> This missing disability perspective highlights the fact that still, in Austria, disability is not perceived as a cross-sectional political and policy matter, leading to the situation that disability-related aspects of life in Austria are discussed not at all or separately and not as part of the overall economic and societal situation.

Unfortunately, in the CSR, a disability perspective is completely missing.

A disability perspective should be considered especially in the CSR in the following recommendations: Recommendation 1/p. 11 regarding targeted support to households most vulnerable to energy price hikes, and recommendation 3/p. 11 regarding labour market participation of women. With regard to the points listed in the CSR, a disability perspective should be considered in the following points: (3)/p. 2 (refugees from Ukraine), (4)/p. 2 (economic and employment policy coordination), (9)/p. 3 (implementation of the RRP), (10)/p. 4 (regarding the NRP), (21)/p. 7 (expenditures for long-term care), (25)/p. 8 (green and digital transition), (26)/p. 8 (regarding the European Social Fund Plus programme), (27)/p. 8 (challenges to the Austrian labour market; European Pillar of Social Rights), (28)/p. 9 (female employment rate), and (29)/p. 9 (disadvantaged groups).

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<sup>2</sup> CR, p. 43/Table A12.1.

<sup>3</sup> CR, p. 44.

<sup>4</sup> With regard to employment but also to long-term care, older persons are mentioned in the CR, but with no explicit reference to persons with disabilities.



## **2.2 National Reform Programme (NRP) and Recovery and Resilience Plan (RRP)**

The following key points highlight where the situation of persons with disabilities or disability policies is relevant to the National Reform Programme (NRP) / Recovery and Resilience Plan (RRP). We analyse the most relevant of these in the next chapters.

In the NRP, disability-related issues are explicitly mentioned in the context of Chapter 3.3 (p. 20ff; fairness): to ensure sustainable participation of persons with disabilities, the government takes targeted measures to mitigate the effects of the COVID-19 pandemic on persons with disabilities (p. 23); the measures are listed on p. 23, such as pay subsidies, assistance to navigate between schools, vocational training and work. It is argued that due to the fact that in the context of the pandemic, these efforts need to be more efficient and need to be expanded – hence, additional funding has been made available (p. 23). Furthermore, plans exist to implement measures with a specific focus on women with disabilities and on strengthening mental health (p. 23). In the context of rights of persons with disabilities, the new National Action Plan Disability (2022-2030) is mentioned (p. 23).

Persons with disabilities are not explicitly mentioned in the context of education and raising the level of basic skills (p. 20 f, p. 24), while mentioning disadvantaged groups as such several times in the NRP.

In the RRP, disability is mentioned one time, namely on page 46 in the context of long-term care and a measure to establish community nurses: 'Advice and support by the latter would enable older people and persons with disabilities to have access to care, while enabling them to live in their home environment.'

In the RRP, key measures of relevance from a disability perspective include investment in transport (e.g. pp. 22, 26), improving digital skills (e.g. pp. 4, 9, 17f, 23), expansion of digital public administration (e.g. pp. 4, 17), good-quality early childhood education (e.g. pp. 13, 33, 39), the one stop shop service for long-term unemployed persons (p. 44), healthcare expenditures (e.g. p. 12), and long-term care (besides the above-mentioned focus on community nurses).

### 2.3 Semester links to CRPD and national disability action plans

It is important that Semester plans align with national disability strategy. In Austria, a new national disability strategy exists, namely the National Action Plan on Disability 2022-2030.<sup>5</sup> The existing National Action Plan on Disability 2012-2020 has ended. On 6 July 2022, the new National Action Plan on Disability 2022-2030 was approved by the Council of Ministers.<sup>6</sup> This National Action Plan is mentioned in the 2022 NRP.<sup>7</sup>

Relevant recommendations arising from participation in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are highlighted in the following chapters. The last UN CRPD Committee recommendations to Austria were in 2013, the most recent submission by Austria was in 2019 and the most recent response from the Committee was the 2018 List of Issues.

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<sup>5</sup> Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). *Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*. Available (in German) at: <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 9 September 2022).

<sup>6</sup> Österreichischer Behindertenrat (2022). *Presseaussendung: Nationaler Aktionsplan Behinderung: Nicht mehr als Lippenbekenntnisse*. Available (in German) at: <https://www.behindertenrat.at/2022/07/nationaler-aktionsplan-behinderung-nicht-mehr-als-lippenbekenntnisse/> (accessed 9 September 2022).

<sup>7</sup> The new Action Plan Disability is mentioned and announced in the NRP (p. 23), meanwhile, being already published: Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). *Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*. Available (in German) at: <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 9 September 2022).

### 3 Disability and the labour market – analysis of the situation and the effectiveness of policies

In 2013, the UN CRPD Committee made the following recommendations to Austria:

[Article 27 UN CRPD](#) addresses Work and Employment.

'47. The Committee recommends that the State party enhance programmes to employ persons with disabilities in the open labour market. The Committee further recommends that measures be put in place to narrow the employment and pay gender gap.'

The most recent CRPD development is the 2018 List of Issues and the state's submission of an updated implementation report in 2019. With regard to Article 27 of the UN CRPD the List of Issues requested the following:

'42. Please provide information on measures taken to enhance programmes for the employment of persons with disabilities in the open labour market and to narrow the employment and gender pay gaps. Please provide specific information on measures taken to promote the transition of persons with disabilities from sheltered employment to the open labour market. Furthermore, please provide information on measures taken to ensure that social insurance contributions are made for such persons. Please provide information on measures taken to implement target 8.5 of the Sustainable Development Goals.'

In its reply, the State party lists a variety of measures and regional, projects of the nine Laender, most of which in place for some time. The report neither provides any overall and analytic data nor does it describe a systematic approach to tackle the multiple barriers persons with disabilities experience on the labour market in Austria. No information is provided regarding target 8.5 of the SDGs.<sup>8</sup>

A new National Action Plan (NAP) was finalised and accepted by a resolution of the Council of Ministers in July 2022, which includes a chapter on the employment of persons with disabilities in Austria.<sup>9</sup> This chapter is structured on the following subchapters:

- Employment in general;
- Vocational training;
- Support for vocational participation;
- Disability Employment Act;
- Health in businesses;
- Programmes for employment according to State regulations;
- Public service as employer.

Each chapter includes a description of the point of departure, a list of targets and respective indicators as well as a list of measures. No translation of the NAP into

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<sup>8</sup> See Combined second and third reports submitted by Austria under Article 35 of the Convention, due in 2018: [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx) (accessed 29 March 2023).

<sup>9</sup> *Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*, p. 92ff: <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

English has been published on the website of the Federal Ministry for Social Affairs, Health, Care and Consumer Protection so far. Thus, we will use information provided in the NAP as well as select and summarise the issues relevant to the European Semester.

In the NAP's introductory chapter on employment of persons with disabilities it is pointed out that 'The legal and statistical situation in Austria is characterised by the constitutional fragmentation of competencies (federal government, provinces, municipalities and cities, self-governing bodies), which makes sustainable and long-term planning difficult.' (NAP, p. 93) This goes hand in hand with a lack of comprehensive and meaningful data on the employment situation of persons with disabilities in Austria.

### 3.1 Summary of the labour market situation of persons with disabilities

According to the Social Scoreboard indicator, cited in the Semester package, the disability employment gap in Austria is considered 'Better than average'. However, it has to be emphasised that the basis of the data used is incomplete because it only includes those persons with disabilities who are officially registered to the Public Employment Service. Those who are not and particularly those who fall under the competence of the States (Laender) are completely excluded from the data collection (see further down).

Data from EU-SILC indicate an employment rate for persons with disabilities in Austria of 53.9 % in 2020, compared to 76.0 % for other persons. This results in an estimated disability employment gap of approximately 21 percentage points (estimated EU27 average gap 24.5, see Tables 2-4) or an employment chances ratio of 0.7. Statistics subsequently published on the Eurostat database indicate a disability employment gap of 20.5 percentage points in 2020, using a slightly different methodology, and rising to 25.1 points in 2021.<sup>10</sup> The EU-SILC data refer to people who self-report limitations in everyday activities, and may present a different picture to national data sources.

The same data indicate unemployment rates of 18.8 % and 7.7 %, respectively in 2020 (see Tables 5-7) and the economic activity rate for persons with disabilities in Austria was 66.4 %, compared to 82.3 % for other persons (see Tables 8-10). These indications are broken down by gender and age in the respective tables in Annex.

Due to the impact of the COVID-19 crisis on employment in 2020-2021, some caution is needed when interpreting trend data.

Recent national data (see Section 7.1.3) indicate a decrease of the unemployment rate among persons with disabilities. This might indicate a slightly positive development on the labour market for persons with disabilities but again does not consider the large group of persons with disabilities in sheltered workshops. Data provided in the new NAP Disability show a significant, if not dramatic increase of persons with disabilities in such facilities, some of which have been co-funded by using European Structural and Investment Funds (ESIF). It is estimated that about 25 000 persons with disabilities were users of sheltered workshops, in 2013 the number was estimated to be about 19 000 persons. This equals an increase of about 32 % (own calculation) and

<sup>10</sup> Eurostat (2022) Disability employment gap by level of activity limitation and sex (source EU-SILC), [https://ec.europa.eu/eurostat/databrowser/view/hlth\\_dlm200/default/table](https://ec.europa.eu/eurostat/databrowser/view/hlth_dlm200/default/table).

contrasts sharply with the UN CRPD Committee’s explicit recommendation in 2013 to foster inclusion into the regular labour market.

Furthermore, it is pointed out that ‘no valid data exist on people with disabilities who do not participate in any further employment measures after completing compulsory education.’ (NAP, p. 94) Finally – as has been pointed out in previous reports – the overall development of the labour market situation has been significantly different for persons with disabilities, with a distinct deterioration, confirmed in a study on women with disabilities by the Public Employment Service. Between 2010 and 2018, the labour market participation rate of registered men and women with disabilities decreased from 68.5 % to 63.9 %. The decrease was more significant for men (from 71.2 % to 65.9 %) than for women (64.5 % to 61.2 %) which brought about a reduced gender gap from 6.7 % to 4.7 % for persons with disabilities. The development is in sharp contrast to the overall labour market before COVID-19 which was characterised by a continuous increase of the employment rate.<sup>11</sup>

Early in 2022 a study on Educational and vocational counselling for people with learning difficulties was published by the Labour Market service, which includes data and analysis on the labour market situation with a focus on persons with intellectual disabilities. According to the authors’ calculations ‘the average duration of unemployment is significantly higher for the group of people with health-related placement restrictions than the overall average.’<sup>12</sup> For persons with no health-related placement restrictions the average duration of unemployment is 125 days, for persons with health-related placement restrictions it is 206 days. And although the duration of unemployment was decreasing for the general population before the COVID-19 pandemic, it was rising for persons with disabilities and other health related restrictions. ‘This shows that people with disabilities or impairments cannot benefit equally from the economic upturn. The long-term effects of the Corona crisis on the employment situation of people with disabilities remain to be seen.’<sup>13</sup> Findings indicate that a main challenge for the employment of persons with intellectual disabilities is the non-inclusive labour market in Austria. Businesses lack the willingness to employ persons with intellectual disabilities, this is often due to a lack of information and awareness.<sup>14</sup> Furthermore, offers for training or employment are limited, particularly in rural areas, and mobility can also become a challenge. There is a need for more low-threshold training offers for young adults with intellectual disabilities. It is pointed out that many young people and young adults with disabilities have a very low self-esteem and needed to overcome the deficit perspective with which they are often viewed. A

<sup>11</sup> (AMS (2020)). *Chancengleichheit für Frauen mit Behinderungen am Arbeitsmarkt. Hindernisse – Herausforderungen – Lösungsansätze*. Wien: AMS, p. 73: <https://www.ams-forschungsnetzwerk.at/deutsch/publikationen/BibShow.asp?id=13302&sid=703980329&look=0&stw=Behinderung&gs=1&lng=0&vt=0&or=0&woher=0&akt=0&zz=30&mHlId=0&mMlId=0&sort=jahrb&Page=1%22> (accessed 5 September 2022).

<sup>12</sup> Steiner, Karin; Dürr, Agnes; Taschwer, Mario (2022). Educational and vocational counselling for people with learning difficulties, p. 19, [https://www.ams-forschungsnetzwerk.at/downloadpub/AMS\\_info\\_535\\_-\\_Bildungs-\\_und\\_Berufsberatung\\_Lernschwierigkeiten.pdf](https://www.ams-forschungsnetzwerk.at/downloadpub/AMS_info_535_-_Bildungs-_und_Berufsberatung_Lernschwierigkeiten.pdf).

<sup>13</sup> Steiner, Karin; Dürr, Agnes; Taschwer, Mario (2022). Educational and vocational counselling for people with learning difficulties, p. 20: [https://www.ams-forschungsnetzwerk.at/downloadpub/AMS\\_info\\_535\\_-\\_Bildungs-\\_und\\_Berufsberatung\\_Lernschwierigkeiten.pdf](https://www.ams-forschungsnetzwerk.at/downloadpub/AMS_info_535_-_Bildungs-_und_Berufsberatung_Lernschwierigkeiten.pdf).

<sup>14</sup> Steiner, Karin; Dürr, Agnes; Taschwer, Mario (2022). Educational and vocational counselling for people with learning difficulties, p. 64, [https://www.ams-forschungsnetzwerk.at/downloadpub/AMS\\_info\\_535\\_-\\_Bildungs-\\_und\\_Berufsberatung\\_Lernschwierigkeiten.pdf](https://www.ams-forschungsnetzwerk.at/downloadpub/AMS_info_535_-_Bildungs-_und_Berufsberatung_Lernschwierigkeiten.pdf).

confusing ‘information jungle’ and lack of orientation regarding offers and regulations for financing are another major barrier for clients, counsellors and businesses, too.<sup>15</sup> The split-up competences among the different layers of the federation make it difficult even for professionals to get an overview and to find the information needed.

### 3.2 Analysis of labour market policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Austria and the National Action Plan on Disability 2022-2030.

Persons with disabilities receive some specific attention in the Austrian 2022 NRP: a brief overview of measures for the inclusion of persons with disabilities into the general labour market is provided and it is stated that ‘given the effects of the COVID-19 pandemic, these offers not only need to be honed to make them even more efficient, but also expanded and developed in line with demand’. More funding for support measures is made available: ‘Some EUR 265 million from the Compensatory Tax Fund (*Ausgleichstaxfonds*) are intended to be allocated in 2022 to projects and individuals, while about EUR 51 million will go to inclusive companies. This constitutes an increase in spending of about EUR 28 million or 10 % compared to 2021. In addition, plans include measures with a specific focus on women with disabilities or on strengthening mental health.’<sup>16</sup> The finalisation of the new NAP Disability 2022-2030 is announced.

As pointed out in the NAP (see Section 3.1) it is difficult if not impossible to get a comprehensive and detailed picture of the employment situation of persons with disabilities in Austria. And although the ‘creation of an overall concept for support structures’ as well as its evaluation had been foreseen in the NAP 2012-2020<sup>17</sup> the new NAP states that this was not accomplished but does not explain any reasons.<sup>18</sup> The NAP Disability 2022-2030, again, includes an evaluation of ‘all funding for vocational participation of people with disabilities’ which is foreseen to be carried out in 2023.<sup>19</sup> It also mentions a measure describes as ‘Improving the data situation by means of a study on the education and labour market situation of people with disabilities’.<sup>20</sup>

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<sup>15</sup> Steiner, Karin; Dürr, Agnes; Taschwer, Mario (2022). Educational and vocational counselling for people with learning difficulties, p. 71, [https://www.ams-forschungsnetzwerk.at/downloadpub/AMS\\_info\\_535\\_-\\_Bildungs-\\_und\\_Berufsberatung\\_Lernschwierigkeiten.pdf](https://www.ams-forschungsnetzwerk.at/downloadpub/AMS_info_535_-_Bildungs-_und_Berufsberatung_Lernschwierigkeiten.pdf).

<sup>16</sup> Bundeskanzleramt (2022). National Reform Programme 2022. Austria. [https://ec.europa.eu/info/sites/default/files/nrp\\_2022\\_austria\\_en.pdf](https://ec.europa.eu/info/sites/default/files/nrp_2022_austria_en.pdf), p. 23 (accessed 5 September 2022).

<sup>17</sup> National Action Plan Disability 2012-2020, p. 76, <https://broschuere-service.sozialministerium.at/Home/Download?publicationId=225> (accessed 5 September 2022).

<sup>18</sup> Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention, p. 92: <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

<sup>19</sup> Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention, p. 103, <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

<sup>20</sup> Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-

Compared to the rather positive description of measures to improve the employment situation of persons with disabilities in the NRP 2022, the NAP seems more critical and emphasises the need for a comprehensive evaluation. This is in line with the announcement of the Minister for Labour in September 2021 who, too, pointed out the need for comprehensive mapping and evaluation of the labour market situation of persons with disabilities, including a focus on young persons with disabilities.<sup>21</sup>

The need for a comprehensive and critical evaluation of the existing support structures has been pointed out repeatedly in previous Academic Network of European Disability Experts (ANED) reports on Austria. Only on the basis of such an evaluation should suggestions how to improve the employment situation of persons with disabilities be given or new approaches and measures been developed.

Thus, the strategy to basically invest more into the existing structures as announced in the NRP is to be questioned. This is not enough to overcome the manifold barriers persons with disabilities experience on the Austrian labour market.

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*Behindertenrechtskonvention*, p. 96, <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

<sup>21</sup> See website of the Ministry for Labour, <https://www.bmaw.gv.at/Presse/News/Inklusionsgipfel.html> (accessed 5 October 2022).

#### **4 Disability, social policies and healthcare – analysis of the situation and the effectiveness of policies**

The most recent CRPD development is the 2018 List of Issues and the state's submission in 2019.

In 2013, the UN CRPD Committee made the following recommendations to Austria:

[Article 28 UN CRPD](#) addresses Adequate standard of living and social protection.

'37. The Committee recommends that the State party ensure that the federal Government and the governments of the Länder step up efforts towards de-institutionalization and allowing persons with disabilities to choose where they live.'

As mentioned in the previous Semester report (2021-2022), regarding the question of deinstitutionalisation of children with disabilities in Austria, in its reply to the 2018 List of Issues the State party lists all Laender with examples and general information, arguing that the numbers decrease and that children are only placed in institutions when their wellbeing is at risk.<sup>22</sup>

In the current CR (see above in Section 2.1), on p. 44, for the first time, the aspect of deinstitutionalisation was mentioned explicitly when arguing that '(t)he many people with disabilities that are living in institutions remains a challenge, calling for an effective deinstitutionalisation strategy. This deinstitutionalisation strategy should include community-based services fostering inclusive education, employment and independent living facilities.<sup>23</sup> This quote highlights the fact, that (a) now, awareness exists regarding this problematic situation and that steps have to be taken to change this situation and (b), but that no concrete strategy exists so far.

[Article 19 UN CRPD](#) addresses Living independently in the community.

'39. The Committee recommends that the State party ensure that the personal assistance programmes provide sufficient financial assistance to ensure that a person can live independently in the community. The Committee further recommends that the State party harmonize and broaden its personal assistance programmes by making personal assistance available to all persons with intellectual and psychosocial disabilities.'

As mentioned in the previous Semester report (2021-2022), regarding the question of living independently in the community, in its reply to the 2018 List of Issues the State party lists several examples in the Laender such as a 'study on longer-term planning for requirements in terms of facilities for people with learning disabilities for the years 2020 and 2025'<sup>24</sup> in Lower Austria, a 'living assistance programme to provide selective

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<sup>22</sup> See Combined second and third reports submitted by Austria under Article 35 of the Convention, due in 2018, pp. 12f (no. 106-116), [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx) (accessed 29 March 2023).

<sup>23</sup> CR, p. 44.

<sup>24</sup> See Combined second and third reports submitted by Austria under article 35 of the Convention, due in 2018, p. 24 (no. 213): [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx) (accessed 29 March 2023).



support for people with disabilities in their own homes<sup>25</sup> (also in Lower Austria) and a Styrian support programme for persons with disabilities.<sup>26</sup>

[Article 25 UN CRPD](#) addresses Health.

As mentioned in the previous Semester report (2021-2022), in its reply to the 2018 List of Issues the State party lists a variety of measures and some health-projects such as in Vienna (no. 37, 84).<sup>27</sup> In no. 139 it is also stated that ‘The accessibility of public services, particularly in the fields of education, health and social affairs, is being gradually extended by the Länder’ without any further arguments, indicators or information.<sup>28</sup>

#### 4.1 Summary of the social situation of persons with disabilities

Data from EU-SILC indicate the poverty risk rate for working age persons with disabilities in Austria was 17.0 % in 2020, compared to 11.2 % for other persons of similar age – an estimated disability poverty gap of approximately 6 percentage points (see Table 14). For people aged over 65, the disability poverty gap was 3.5 points (15.6 % for older persons with disabilities and 12.1 % for other persons of similar age). The tables in Annex also indicate the respective rates of risk of poverty or social exclusion and break these down by gender as well age. Recently updated data from Eurostat indicate the relative risk for the working age disabled population rose to 17.8 %, and for the older age group to the same level in 2021.<sup>29</sup>

On Table 5.5b/p. 97<sup>30</sup>, *Statistik Austria* refers to persistent risk of poverty by living condition: out of 8 265 (in 1 000) persons in Austria, 500 (in 1 000) persons are defined as ‘*stark beeinträchtigt durch Behinderung*’ (severely impaired by disability); out of these 500 (in 1 000), 332 (in 1 000) are not exposed to poverty, 84 (in 1 000) temporarily (at least in one year, but not permanently), and 83 (in 1 000) permanently (last year and at least two years before last year).

For persons with disabilities of working age in Austria (aged 18-64) the risk of poverty before social transfers was 44.9 % and 17 % after transfers. The in-work poverty rate for persons with disabilities in this age range was 8.5 %, rising to 8.7 % in 2021.<sup>31</sup>

<sup>25</sup> See Combined second and third reports submitted by Austria under article 35 of the Convention, due in 2018, p. 33 (no. 291), [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx).

<sup>26</sup> See Combined second and third reports submitted by Austria under article 35 of the Convention, due in 2018, p. 24 (no. 217), [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx).

<sup>27</sup> See Combined second and third reports submitted by Austria under article 35 of the Convention, due in 2018, p. 5 (no. 37) and 10 (no. 84), [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx).

<sup>28</sup> See Combined second and third reports submitted by Austria under article 35 of the Convention, due in 2018, p. 15 (no. 139), [https://www.ecoi.net/en/file/local/2044834/CRPD\\_C\\_AUT\\_2-3\\_7281\\_E.docx](https://www.ecoi.net/en/file/local/2044834/CRPD_C_AUT_2-3_7281_E.docx).

<sup>29</sup> Eurostat, People at risk of poverty by level of activity limitation, sex and age, 2022, [https://ec.europa.eu/eurostat/databrowser/view/HLTH\\_DPE020\\_custom\\_3348056](https://ec.europa.eu/eurostat/databrowser/view/HLTH_DPE020_custom_3348056).

<sup>30</sup> *Statistik Austria/EU-SILC 2021 – Einkommen, Armut und Lebensbedingungen*. Wien am 28.4.2022 (Rev. vom 24.8.2022). Available (in German) at: [https://www.statistik.at/fileadmin/pages/338/Tabellenband\\_EUSILC\\_2021.pdf](https://www.statistik.at/fileadmin/pages/338/Tabellenband_EUSILC_2021.pdf) (accessed 30 September 2022).

<sup>31</sup> Eurostat (2022) In-work at-risk-of-poverty rate by level of activity limitation, sex and age, [https://ec.europa.eu/eurostat/databrowser/view/hlth\\_dpe050/default/table](https://ec.europa.eu/eurostat/databrowser/view/hlth_dpe050/default/table).

Of interest to health policy are the data on self-reported unmet needs for medical examination (too expensive or too far to travel or waiting list). Disability equality gaps are evident here too and, on this basis, the rate for persons with disabilities in Austria was 0.3 %, compared to near zero for other persons (although Austria remains well below the EU average on this measure).

Regarding the CR (see Section 2.1), even though the aspect of (de)institutionalisation is a very important one and for the first time explicitly mentioned in the CR on page 44, there are still many other aspects regarding the social situation of persons with disabilities in Austria, where challenges are identified and where a disability perspective is missing in the CR. Generally speaking, the economic and employment situation of persons with disabilities should be explicitly mentioned in the CR (not only in a Table). Also, the implementation of the RRP should directly address challenges for persons with disabilities and ways / measures to remove these challenges. This also applies to the section in the CR called 'Further Priorities Ahead', where an explicit disability perspective is missing when addressing long-term care, the healthcare and the pension systems.<sup>32</sup> This missing disability perspective highlights the fact that still, in Austria, disability is not perceived as a cross-sectional political and policy matter, leading to the situation that disability-related aspects of life in Austria are discussed not at all or separately and not as part of the overall economic and societal situation.

Regarding the NRP (see Section 2.2), challenges identified with regard to social and health policies are also relevant for persons with disabilities; even though persons with disabilities are mentioned in the NRP as target groups for social policy and health measures, it has to be pointed out that not only these specific aspects of health and social policies are relevant for persons with disabilities, but generally speaking all aspects of these two policy fields.

As mentioned in the previous Semester report 2021-2022, in the evaluation of the National Action Plan Disability 2012-2020,<sup>33</sup> it is plausibly argued that the high risk of poverty and poverty of persons with disabilities cannot / should not be separated from other themes of the National Action Plan Disability 2012-2020 (which is currently the case). Hence, three key points can be carved out which are relevant for ameliorating the overall situation for persons with disabilities. The three pressing key points<sup>34</sup> which need to be addressed when discussing the social situation of persons with disabilities in Austria (which partially overlap with previous European Semester Reports for Austria) are:

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<sup>32</sup> With regard to employment but also to long-term care, older persons are mentioned in the CR, but with no explicit reference to persons with disabilities.

<sup>33</sup> BMSGPK (2020). *Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 505. Available (in German) at: [https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung\\_des\\_NAP\\_2012\\_2020.pdf](https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf) (accessed 10 September 2022).

<sup>34</sup> Besides all the other points addressed in the previous ANED European Semester Reports for Austria, see ANED website.

- lack of deinstitutionalisation for children and adults with disabilities;<sup>35</sup>
- limited / reduced access to healthcare (not only) during the COVID-19 pandemic;
- missing disability mainstreaming in the context of changing structures of social support systems.

#### 4.2 Analysis of social policies and health policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Austria and the National Action Plan on Disability 2022-2030.

Regarding the National Action Plan on Disability 2012-2020 and its academic evaluation<sup>36</sup> please see our European Semester report for 2020-2021. Regarding social and health policies, in Chapter 6, the new National Action Plan (NAP) Disability 2022-2030<sup>37</sup> refers to Independent Living, in Chapter 2 to non-discrimination and equal opportunities, and in Chapter 7 to health.

In its response to and statement on the NAP 2022-2030 draft (now already published) – and referring also to the above-mentioned chapters of the NAP, the Austrian Disability Council (*Österreichische Behindertenrat*, umbrella organisation representing more 80 member organisations for and of persons with disabilities in Austria) – criticised<sup>38</sup> that, e.g. some sub-chapters of Chapter 6 do not refer to the social and / or Human Rights model of disability and hence, policies and measures need to be oriented towards the UN CRPD. Also, the *Österreichische Behindertenrat* criticised the fact that still, the majority of measures in the NAP 2022-2030 miss a cost estimate, making it impossible to calculate the costs with regard to the Austrian budget, and also criticised, that indicators are missing.

In its detailed response to and statement<sup>39</sup> on the NAP 2022-2030 draft, the Austrian Independent Monitoring Committee also refers to the above-mentioned chapters of the NAP, criticising e. g. with regard to chapter 6 that some goals of the NAP 2022-2030 do not meet the requirements of the UN CRPD. Also, the Austrian Independent Monitoring Committee referred to missing indicators.

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<sup>35</sup> See ANED 'Country report on Living Independently and being Included in the community' (2019), via <https://www.disability-europe.net/country/austria>. See also *Erster Entwurf Operationelles Programm Beschäftigung Österreich 2021-2027 (ESF+) (2020)*, where the still missing overall concept and programme for deinstitutionalisation is mentioned on pp. 48-50.

<sup>36</sup> See *BMSGPK (2020). Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention. Wien*. Available (in German) at: [https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung\\_des\\_NAP\\_2012\\_2020.pdf](https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf) (accessed 10 September 2022).

<sup>37</sup> *Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*. Available (in German) at: <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 12 September 2022).

<sup>38</sup> *Österreichischer Behindertenrat (2022). Stellungnahme des Österreichischen Behindertenrats zum Entwurf des Nationalen Aktionsplans 2022-2030*. Available (in German) at: <https://www.behindertenrat.at/2022/05/stellungnahme-zum-entwurf-des-nap-2022-2030/> (accessed 12 September 2022).

<sup>39</sup> *Unabhängiger Monitoringausschuss zur Umsetzung der UN-Konvention über die Rechte von Menschen mit Behinderungen. Stellungnahme Nationaler Aktionsplan Behinderung 2022-2030*. Available (in German) at: <https://www.monitoringausschuss.at/stellungnahmen/nationaler-aktionsplan-behinderung-2022-2030/> (accessed 12 September 2022).

Already in November 2020, the Austrian Federal and State Monitoring Committees stated in their shadow report on the CRPD List of Issues<sup>40</sup> that in the context of excluding specific groups in community-based services since ‘the first state audit in 2013, there has been no political declaration of intent between the federalism states and local governments to implement a systematic review of existing legal norms in all areas of law. Even new legislation or amendments to existing legal norms do not systematically follow the inclusion approach from the UN CRPD’. The report argued that no overarching inclusive approach and comprehensive plan to accessibility with regard to education, health and social services yet exists.

In its response and statement on the NAP 2022-2030 draft, *Selbstbestimmt Leben Österreich* (Independent Living Austria) inter alia referred to Independent Living, political participation, and reduction of the risk of poverty summing up that the new NAP does not meet the requirements of the UN CRPD.<sup>41</sup>

Harsh criticism regarding the new NAP 2022-2030 is also formulated by the Centre for Independent Living Vienna (BIZEPS):<sup>42</sup> there are neither clear strategies as such and especially for the implementation formulated, nor is the question of financing fully discussed.

What becomes obvious with regard to the criticism of the new National Action Plan Disability 2022-2030 is that it will probably face the same problems and challenges as the first NAP (2012-2020) – nearly no indicators mean no meaningful way to measure change, nearly no explicitly disclosed financing means no sustainable implementation, and non-conformance with the UN CRPD means that the NAP 2022-2030 is not the tool to implement the CRPD fully. Unfortunately, the broad criticism<sup>43</sup> formulated by diverse stakeholders in the field of disability in Austria was not included in the final version of the NAP 2022-2030. For measures and policies in Austria this means that changes with regard to and the implementation of policies will face challenges that have already been criticised by the evaluation study<sup>44</sup> on the 'old' NAP 2012-2020.

Regarding social policies, in the NRP, participation as an important aspect of social policies is mentioned (see Section 2.2).

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<sup>40</sup> See Austrian Federal and State Monitoring Committees (2020). Shadow report on the List of Issues in connection with the forthcoming State Audit by the UN Committee of Experts, p. 2.

<sup>41</sup> *SLIÖ – Selbstbestimmt Leben Österreich (2022). Stellungnahme zum Entwurf des Nationalen Aktionsplans Behinderung 2022-2030 der österreichischen Bundesregierung.* [https://www.integration-tirol.at/dokumente/upload/45ec2\\_Stellungnahme-SLIÖe.pdf](https://www.integration-tirol.at/dokumente/upload/45ec2_Stellungnahme-SLIÖe.pdf) (accessed 12 September 2022).

<sup>42</sup> *BIZEPS (2022): Ist der Nationale Aktionsplan Behinderung noch zu retten?*, <https://www.bizeps.or.at/ist-der-nationale-aktionsplans-behinderung-noch-zu-retten/> (accessed 12 September 2022).

<sup>43</sup> Criticism as mentioned above with regard to some stakeholders and their response to and statement on the NAP 2022-2030 draft, but also already formulated by many participants in the course of drafting the NAP and with regard to the drafting phase of the NAP in the working groups (see e. g. *Österreichischer Behindertenrat (2022). Stellungnahme des Österreichischen Behindertenrats zum Entwurf des Nationalen Aktionsplans 2022-2030.* Available (in German) at: <https://www.behindertenrat.at/2022/05/stellungnahme-zum-entwurf-des-nap-2022-2030/> (accessed 12 September 2022).

<sup>44</sup> *BMSGPK (2020). Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention.* Wien, p. 505. Available (in German) at: [https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung\\_des\\_NAP\\_2012\\_2020.pdf](https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf) (accessed 12 September 2022).

Regarding health policies, nothing is mentioned in the NRP. In the RRP, health is mentioned with regard to long-term care (see Section 2.2).

### **Inclusion**

A new initiative by the City of Vienna – called '*Inklusives Wien 2030 – Eine Stadt für alle*' (Inclusive Vienna 2030 – A city for all) – was introduced in a small meeting during spring 2022; a larger kick-off meeting took place in September 2022. On its website, '*Inklusives Wien*' is presented as a long-term strategy for ameliorating support for persons with disabilities:<sup>45</sup> 12 areas of action relate to important areas of life of persons with disabilities, such as work / employment, participation, empowerment, accessibility, or accommodation / housing / living. Strong criticism has been formulated by Disabled People's Organisations (DPOs) such as BIZEPS, arguing that again, this is talking about the situation but not actively changing it.<sup>46</sup> In her article, Müllbner points to the fact that against the background of the heavily criticised new National Action Plan Disability 2022-2030, this Viennese strategy seems to be another project without concrete steps to be taken to implement it; she argues that '*Inklusion ist kein Arbeitsblatt, das ausgefüllt und vergessen werden kann. Inklusion ist auch keine Collage. Inklusion erfordert Handeln.*' ('Inclusion is no worksheet which is filled in and then, is forgotten. Also, inclusion is no collage. Inclusion requires action.').<sup>47</sup>

### **Health**

A current Tyrolian case regarding dental care and treatment exemplifies missing policies to reduce discriminatory practices against persons with disabilities: even with acute toothache a young man with disabilities has to wait for months to get an adequate treatment (dental restoration) of a tooth.<sup>48</sup> Being by far not an isolated case, it was argued by the hospital that in case of acute toothache the tooth will be pulled out instead of a dental restoration; for a dental restoration, a general anaesthetic is necessary which can only be done in six months. In an article, the *Lebenshilfe* highlighted the fact that in Osttirol (Eastern Tyrol), since 2018, no dental restoration under general anaesthetic is possible. Hence, patients need to drive to other hospitals far away which causes additional stress: too few dental practitioners specialised on persons with disabilities lead to long waiting times for patients with disabilities.<sup>49</sup>

<sup>45</sup> See: <https://www.inklusives.wien>.

<sup>46</sup> Müllbner, Katharina (2022). *Projekt 'Inklusives Wien 2030' - Kann Beteiligung im Kofferformat funktionieren?* Available (in German) at: <https://www.bizeps.or.at/projekt-inklusives-wien-2030-kann-beteiligung-im-kofferformat-funktionieren/> (accessed 10 September 2022).

<sup>47</sup> Müllbner, Katharina (2022). *Projekt 'Inklusives Wien 2030' – Kann Beteiligung im Kofferformat funktionieren?* Available (in German) at: <https://www.bizeps.or.at/projekt-inklusives-wien-2030-kann-beteiligung-im-kofferformat-funktionieren/> (accessed 10 September 2022) – Translation Naue: 'Inclusion is no worksheet which is filled in and then, is forgotten. Also, inclusion is no collage. Inclusion requires action.'

<sup>48</sup> Plank, Alexandra/*Tiroler Tageszeitung* (2022). *Es krank an Zahnbehandlung bei behinderten Menschen*. Available (in German) at: <https://www.tt.com/artikel/30810059/es-krank-an-zahnbehandlung-bei-behinderten-menschen> (accessed 12 September 2022); Plank, Alexandra/*Tiroler Tageszeitung* (2022). *Voller Einsatz für Zahn-OP*. Available (in German) at: <https://www.tt.com/artikel/30811234/voller-einsatz-fuer-zahn-op-probleme-fuer-menschen-mit-behinderung> (accessed 12 September 2022).

<sup>49</sup> Plank, Alexandra/*Tiroler Tageszeitung* (2022). *Es krank an Zahnbehandlung bei behinderten Menschen*. Available (in German) at: <https://www.tt.com/artikel/30810059/es-krank-an-zahnbehandlung-bei-behinderten-menschen> (accessed 12 September 2022).

## **5 Disability, education and skills – analysis of the situation and the effectiveness of policies**

In 2013, the UN CRPD Committee made the following recommendations to Austria:

[Article 24 UN CRPD](#) addresses Education.

'43. The Committee recommends that greater efforts be made to support students with disabilities in all areas of inclusive education from kindergarten to secondary school. It particularly recommends that the State party ensure that persons with disabilities, including children with disabilities and their representative organizations, are involved in the day-to-day implementation of the inclusive education models introduced in various Länder. The Committee further recommends that greater efforts be made to enable persons with disabilities to study at universities and other tertiary institutions. The Committee also recommends that the State party step up its efforts to provide quality teacher training to teachers with disabilities and teachers with sign language skills, so as to enhance the education of deaf and hearing-impaired girls and boys, in accordance with the formal recognition of Austrian sign language in the Constitution of Austria.'

The most recent CRPD development is the 2018 List of Issues and the state's submission of an updated implementation report in 2019.

### **5.1 Summary of the educational situation of persons with disabilities**

The EU-SILC 2020 estimates concerning educational attainment should be treated with caution due to relatively wide confidence intervals but they consistently indicate disability equality gaps (an average of 2-3 years provides a more stable indication). Table 16 indicates early school leaving rates disaggregated by disability status in Austria. Youth with disabilities (aged 18-24) tend to leave school significantly more than non-disabled peers of the same age groups (and this is reinforced by widening the sample size to age 18-29). Table 17 shows completion rate of tertiary education disaggregated by disability and age group. Persons with disabilities (aged 30-34) are less likely to complete tertiary education than their peers (and this is reinforced in the wider age range 30-39).

There is still a strong tendency to rely on special schools as well as on other special institutions for young people with disabilities. Currently, the trend is backwards to segregation, particularly for young people with more profound disabilities. Administrative data on pupils with special education needs (SEN) assessment provided by Statistic Austria on a yearly basis only allow for a superficial and incomplete evaluation of the educational situation of students with disabilities in Austria. Data on early school leavers with disabilities and / or SEN are not provided.

### **5.2 Analysis of education policies relevant to the Semester**

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Austria and the National Action Plan on Disability 2022-2030.

Meaningful and differentiated data on the education and educational achievement of students with disabilities are still not available. National data on early school leavers are disaggregated by mother-tongue but not by disability or special education needs. Early school leaving of students with disabilities was not mentioned in the NAP

Disability 2012-2020 and is not mentioned in the NAP Disability 2022-2030, either. A new National Report on Education was published in 2021 which refers to students with disabilities only scarcely: in the first place with regard to the Austrian wide review of educational standards where it is stated that students who are taught according to a special school curriculum were excluded from the review process,<sup>50</sup> and in the second place with regard to the placement of students with special educational needs in special schools or in integrated classes. In the school year 2019/20, 40 % of students with special educational needs attended one of the 240 special schools in Austria and 60 % of all students with special educational needs were integrated in regular schools. The National Report states, that ‘this figure is slightly lower than in the 2016/17 school year (-1.1 percentage points)’<sup>51</sup> which indicates a step backwards from inclusive education in Austria. Based on official data for the school year 2020/21 (see Annex) this backwards development is continuing. No information is available on students with disabilities who are officially not considered to have special educational needs. The NAP Disability 2022-2030 lists one measure with regard to data: ‘Consideration of inclusive education in education controlling and monitoring to improve the data situation’.<sup>52</sup>

At the end of the school year 2021/22 media reported cases of young people with disabilities who were denied an 11th school year. The period for compulsory education is nine years in Austria and for students with special education needs additional school years – the official term is ‘voluntary school’ year – must be individually applied for. Such ‘voluntary school years’ are usually only possible in special schools. In the cases reported, several young people, e.g. a boy with Down Syndrome<sup>53</sup> or a boy with autism<sup>54</sup> were officially denied an 11th school year and they were offered no other opportunities for vocational training or occupation either. This seems to be particularly the case in Vienna, where a reported number of about 40 young people with disabilities was denied additional school years, but the issue seems to exist in other States, too.<sup>55</sup> Parents of young people with disabilities complain that they have to leave their jobs to look after their children. Authorities argue that there is a lack of teachers in special schools and that there are more younger students with disabilities registered for the school year 2022/23. The NAP Disability 2022-2030 does not mention this lack of education for students with disabilities after compulsory education but announces one

<sup>50</sup> *Nationaler Bildungsbericht 2021, Teil 2: Bildungsindikatoren*, p. 153, [https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021\\_02.pdf](https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021_02.pdf) (accessed 7 September 2022).

<sup>51</sup> *Nationaler Bildungsbericht 2021, Teil 2: Bildungsindikatoren*, p. 272, [https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021\\_02.pdf](https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021_02.pdf) (accessed 7 September 2022).

<sup>52</sup> *Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*, p. 85, <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

<sup>53</sup> See: <https://www.news.at/a/abgelehnt-schueler-inklusion-12625364>.

<sup>54</sup> See: <https://www.falter.at/zeitung/20220712/mario-will-in-die-schule>.

<sup>55</sup> Source: personal communication with a teacher at the University of Education in Upper Austria on 30 August 2022.

measure which might be relevant: ‘Participatory development of scenarios for the inclusion of students with disabilities or impairments in order to achieve the educational objectives or partial qualifications thereof in the area of upper secondary education.’<sup>56</sup>

The following further measures are listed in the sub-chapter on schools:

189. Anchoring inclusive education in the resource, target and performance plans of the education directorates of the States (e.g. development and implementation of state-specific concepts for the expansion of inclusive education).

190. Conduct an evaluation of issuance practices for special educational needs certificates in the school setting from an inclusive education perspective.

192. Pilot projects on competence centres for inclusive education and gradual expansion of such centres in the educational regions.

193. Expansion and further development of strategic diversity management competence in the education directorates.

194. Expansion of support based on the biopsychosocial model (including social work, social pedagogy, school psychology) in the school sector in cooperation with the federal states.

195. Development of curricula that enable competence-oriented learning from an inclusive pedagogical perspective as well as development of competence-oriented curricula for Austrian Sign Language.

196. Legal anchoring of further compensatory measures (so-called ‘disadvantage compensation’) in the school context to achieve the educational goals.

198. Increased involvement of special schools in school clustering.

199. Admission of special education teachers as directors of compulsory schools.

The NAP Disability 2022-2030 has been particularly criticised for a lack of effective measures with regard to inclusive education. In several statements of DPOs and other NGOs the proposed measures were even considered a step backwards.<sup>57</sup>

In summary, educational policy in Austria lacks the willingness to effectively implement inclusive quality education for young people with disabilities.

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<sup>56</sup> Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (2022). *Nationaler Aktionsplan Behinderung 2022-2030. Österreichische Strategie zur Umsetzung der UN-Behindertenrechtskonvention*, p. 86, <https://www.sozialministerium.at/dam/jcr:97c546c6-166b-4990-9efb-79d3ed4f3797/2022-07-06%20NAP%20Behinderung%202022-2030.pdf> (accessed 5 September 2022).

<sup>57</sup> See, e.g. <https://www.bizeps.or.at/diakonie-kritisiert-nationalen-aktionsplan-behinderung-viele-ruckschritte-in-der-bildungspolitik/>.



## 6 Investment priorities in relation to disability

A comprehensive evaluation of the Youth-Coaching (*Jugendcoaching*) was carried out by the Institute for Advanced Studies. Youth-Coaching has been established and implemented Austrian wide since 2012. It is co-financed by the European Social Fund and targets at all young people at the end of compulsory education, including students with disabilities and / or special educational needs. According to the evaluation, the Austrian wide share of participants with disabilities and / or special educational needs is 16.6 percent, but this quota differs between 11.7 % in Vienna and 25 % in Lower Austria. To consider regional differences and to meaningfully compare the States, the authors calculated a factor for reaching the target group which was 1.74 for Styria and 0.87 for Salzburg.<sup>58</sup> The share of coaches with disability specific qualifications varies between 38 % in Vienna and 65 % in Burgenland. There were no coaches with sign language competences in Burgenland, Lower Austria, Styria and Tyrol, the highest share of sign language competent coaches was in Vorarlberg and Carinthia with 65 %.<sup>59</sup> The impact assessment of the Youth Coaching indicates a strong effect on those young people who previously attended a special school: ‘Particularly remarkable in the comparison between the intervention and control groups is the high level of integration success among young people with a special school leaving certificate. While only 2.6 percent of the control group were able to take up training ‘on their own’, 61 percent of the JU participants were able to do so.’<sup>60</sup> (p. 200) No more specific findings for young people with disabilities are provided. However, as was pointed out in previous reports for the European Semester, for 6.3 % of all participants the recommendation at the end of Youth Coaching is day-structure or another activity which is neither further or vocational education nor any other vocational qualification programme.<sup>61</sup> It can be assumed that such a recommendation is typically given to young people with more profound disabilities. In summary, a more detailed analysis of data with regard to young people with disabilities and / or special educational needs would be worthwhile in a programme where those constitute a specific target group.

In its recent country report on Austria, the EC is concerned about ‘the many people with disabilities that are living in institutions’ and calls ‘for an effective deinstitutionalisation strategy’.<sup>62</sup> However, Austria continues to invest into segregating

<sup>58</sup> Steiner, Mario; Pessl, Gabriele; Köpping, Maria; Juen, Isabella (2021). *Evaluation des Jugendcoachings*, p. 146, [https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht\\_Jugendcoaching\\_final.pdf](https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht_Jugendcoaching_final.pdf) (accessed 8 September 2022).

<sup>59</sup> Steiner, Mario; Pessl, Gabriele; Köpping, Maria; Juen, Isabella (2021). *Evaluation des Jugendcoachings*, p. 147, [https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht\\_Jugendcoaching\\_final.pdf](https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht_Jugendcoaching_final.pdf) (accessed 8 September 2022).

<sup>60</sup> Steiner, Mario; Pessl, Gabriele; Köpping, Maria; Juen, Isabella (2021). *Evaluation des Jugendcoachings*, p. 200, [https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht\\_Jugendcoaching\\_final.pdf](https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht_Jugendcoaching_final.pdf) (accessed 8 September 2022).

<sup>61</sup> Steiner, Mario; Pessl, Gabriele; Köpping, Maria; Juen, Isabella (2021). *Evaluation des Jugendcoachings*, p. 178, [https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht\\_Jugendcoaching\\_final.pdf](https://www.sozialministerium.at/dam/jcr:072a3cdf-491e-4aad-87ce-12e338f6b156/Endbericht_Jugendcoaching_final.pdf) (accessed 8 September 2022).

<sup>62</sup> European Commission (2022). 2022 Country Report – Austria, p. 44, [https://ec.europa.eu/info/system/files/2022-european-semester-country-report-austria\\_en.pdf](https://ec.europa.eu/info/system/files/2022-european-semester-country-report-austria_en.pdf) (accessed 8 September 2022).

institutions for persons with disabilities which are co-funded by EAFRD. There is still no overview on such projects available but one recent example was made public in Carinthia: a residential facility only for children with disabilities is currently newly built which replaces an old institution. 16 children between the ages of 5 to 16 years are expected to live there year-round, they are going to attend a special school. Both the school and the residential institution are run by the same service provider.<sup>63</sup> ENIL and Independent Living Austria will reportedly file a third complaint to the EC as they already did in 2020 and 2021.<sup>64</sup>

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<sup>63</sup> See: [https://www.meinbezirk.at/klagenfurt-land/c-lokales/erfolgreicher-spatenstich-fuer-neues-comenius-heim\\_a5294827](https://www.meinbezirk.at/klagenfurt-land/c-lokales/erfolgreicher-spatenstich-fuer-neues-comenius-heim_a5294827) (accessed 8 September 2022).

<sup>64</sup> See: <https://enil.eu/press-release-disability-groups-file-second-complaint-against-austria-for-eu-funds-misuse/> (accessed 8 September 2022).

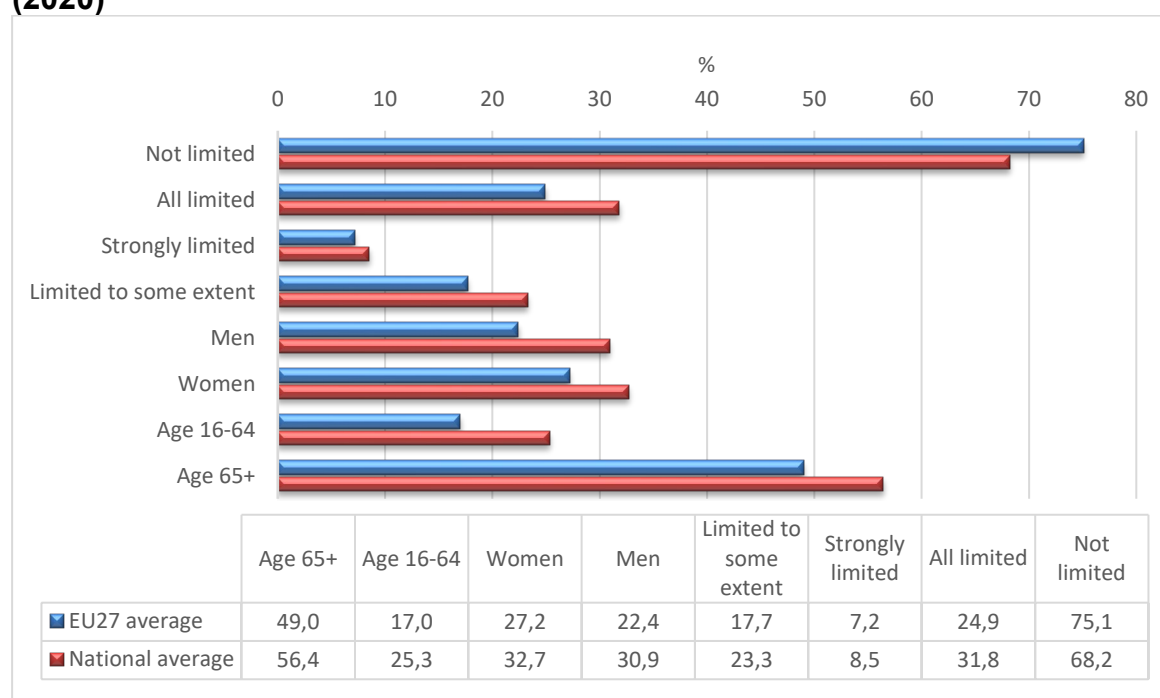
## 7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database<sup>65</sup> and statistical reports.<sup>66</sup>

Unless specified, the summary statistics are drawn from the most recent EU-SILC data available to researchers from Eurostat. The EU-SILC sample includes people living in private households and does not include people living in institutions (congregative households). The sampling methods vary somewhat in each country.

The proxy used to identify people with disabilities (impairments) is whether ‘for at least the past six months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.<sup>67</sup>

**Table 1: Self-reported ‘activity limitations’ as a proxy for impairment / disability (2020)**



Source: EU-SILC 2020 Release April 2022

In subsequent tables, these data are used to indicate ‘disability’ equality gaps and trends relevant to the analytical chapters – for the labour market, social policies and healthcare, and education – by comparing outcomes for persons who report and do not report ‘activity limitations’.<sup>68</sup> National estimates for Austria are compared with EU27 mean averages for the most recent year.<sup>69</sup>

<sup>65</sup> Eurostat health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

<sup>66</sup> Eurostat (2019) Disability Statistics: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics).

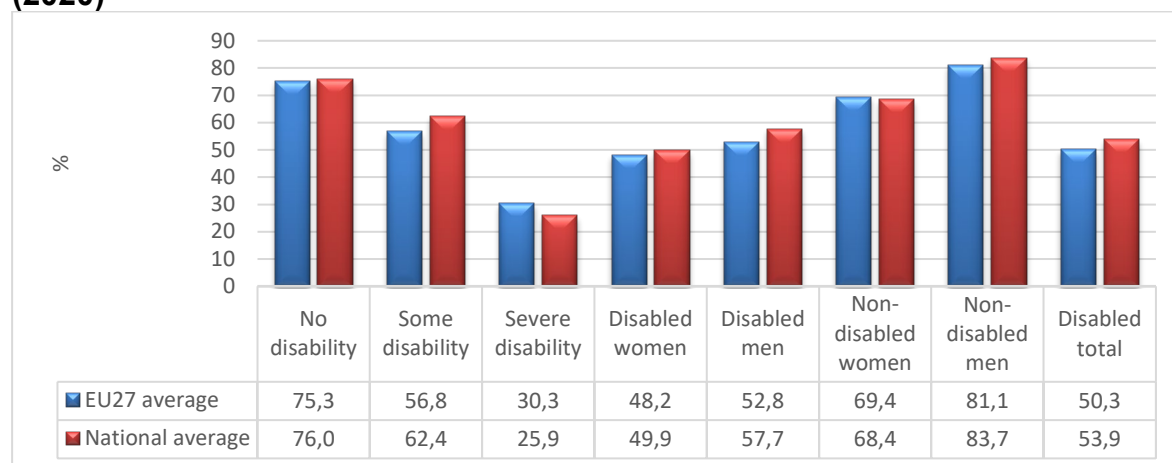
<sup>67</sup> The EU-SILC survey questions are contained in the Minimum European Health Module (MEHM), [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum\\_European\\_Health\\_Module\\_\(MEHM\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum_European_Health_Module_(MEHM)).

<sup>68</sup> This methodology was developed in the annual statistical reports of ANED, available at: <http://www.disability-europe.net/theme/statistical-indicators>.

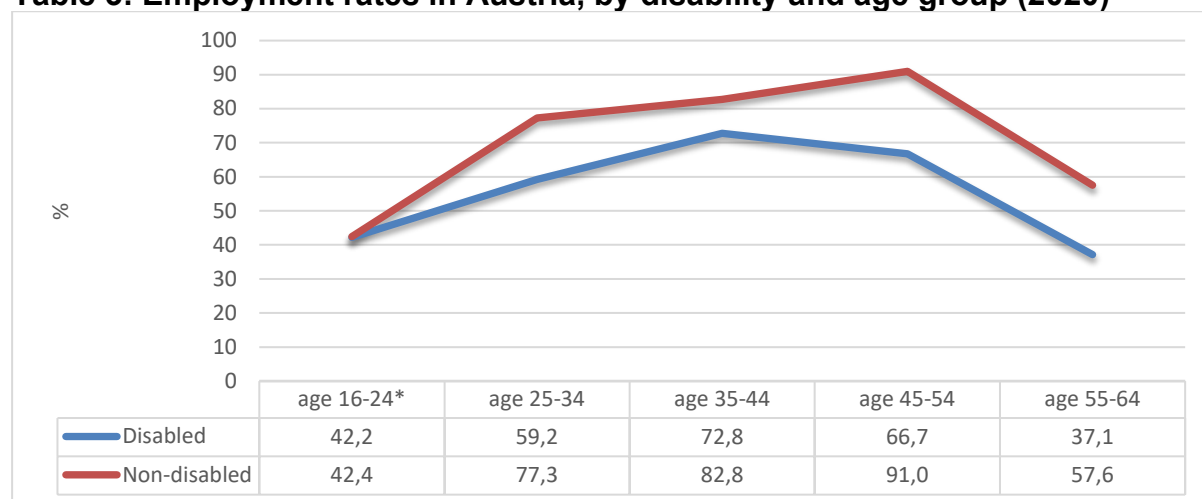
<sup>69</sup> The exit of the United Kingdom from the EU changed the EU average. EU27 averages have been affected also by time series breaks in other large countries, such as Germany.

## 7.1 Data relevant to disability and the labour market

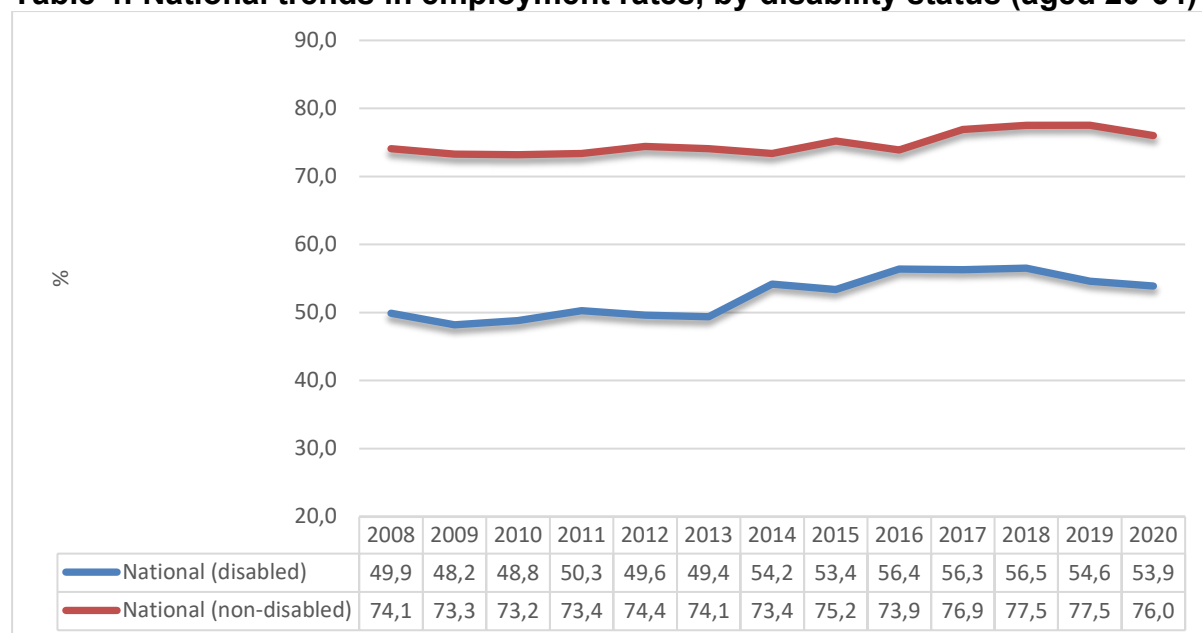
**Table 2: EU and Austria employment rates, by disability and gender (aged 20-64) (2020)**



**Table 3: Employment rates in Austria, by disability and age group (2020)**



**Table 4: National trends in employment rates, by disability status (aged 20-64)**

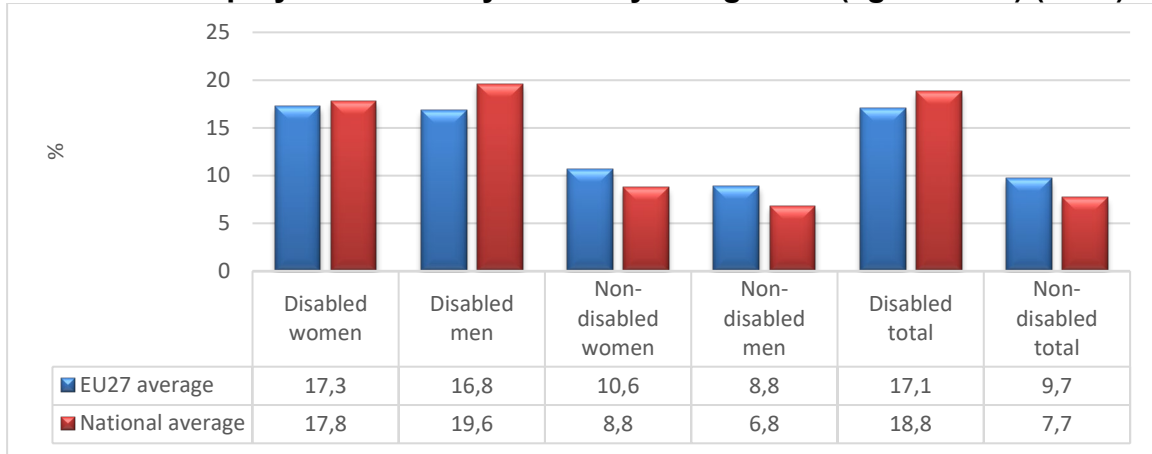


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

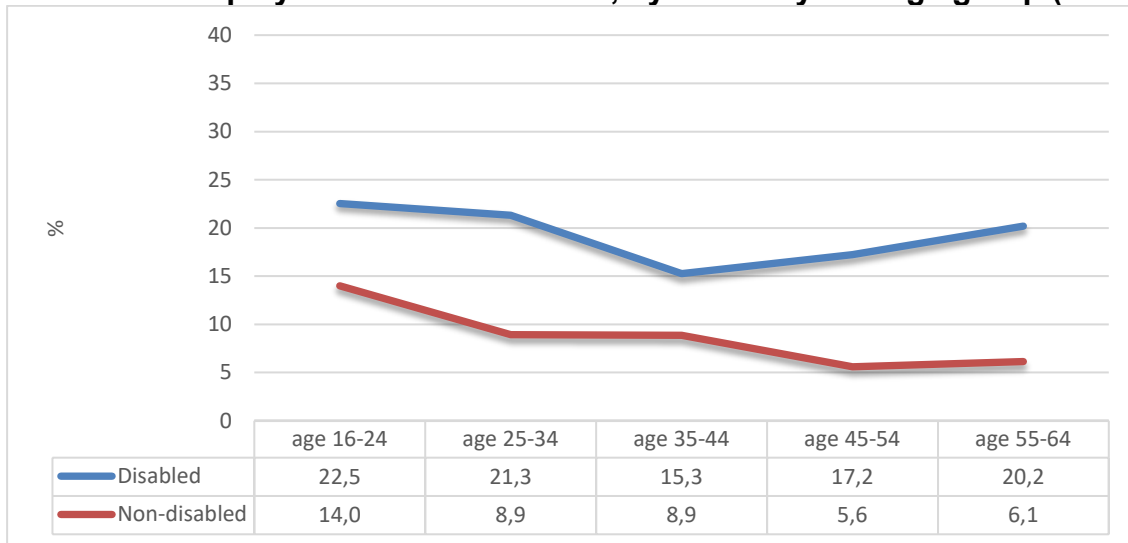
Note: Microdata concerning employment status was not available for Germany and Italy in this data release, which affects the EU27 average (which is therefore estimated).

### 7.1.1 Unemployment

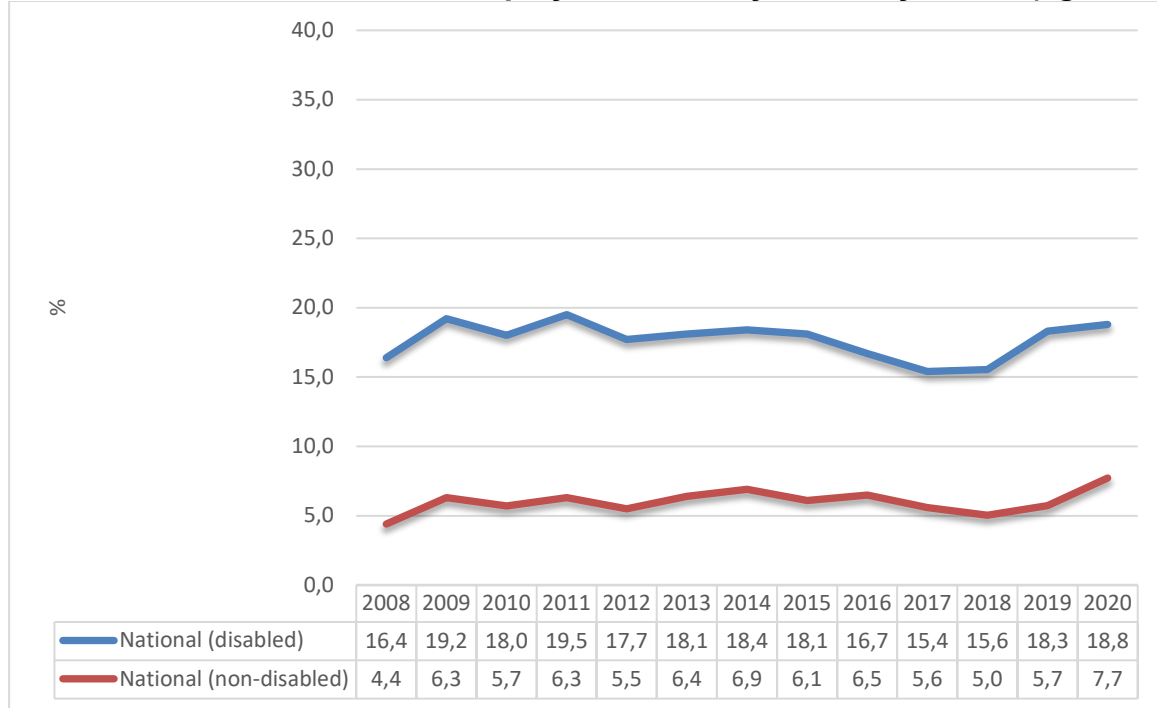
**Table 5: Unemployment rates by disability and gender (aged 20-64) (2020)**



**Table 6: Unemployment rates in Austria, by disability and age group (2020)**



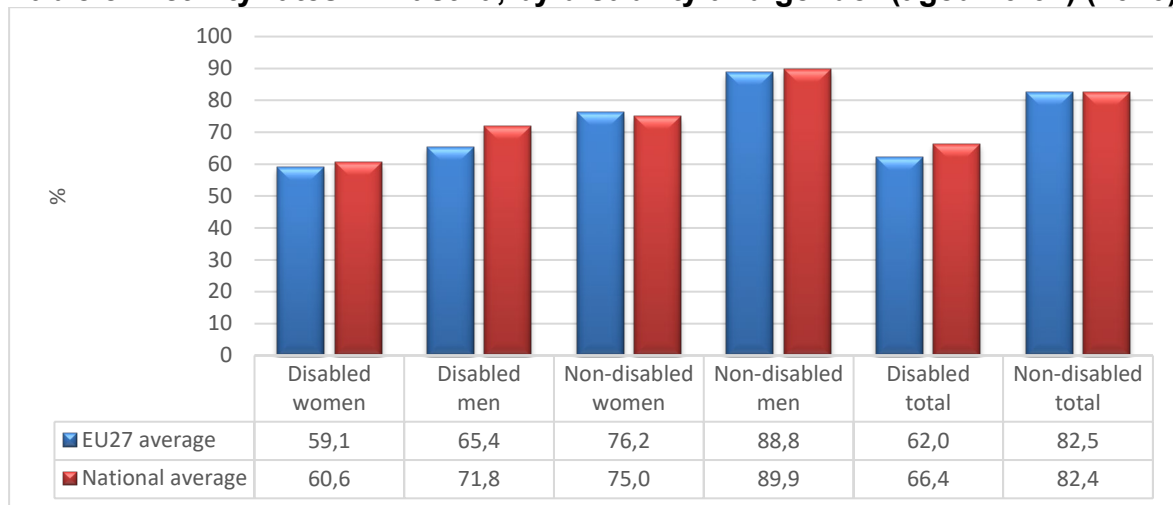
**Table 7: National trends in unemployment rate, by disability status (aged 20-64)**

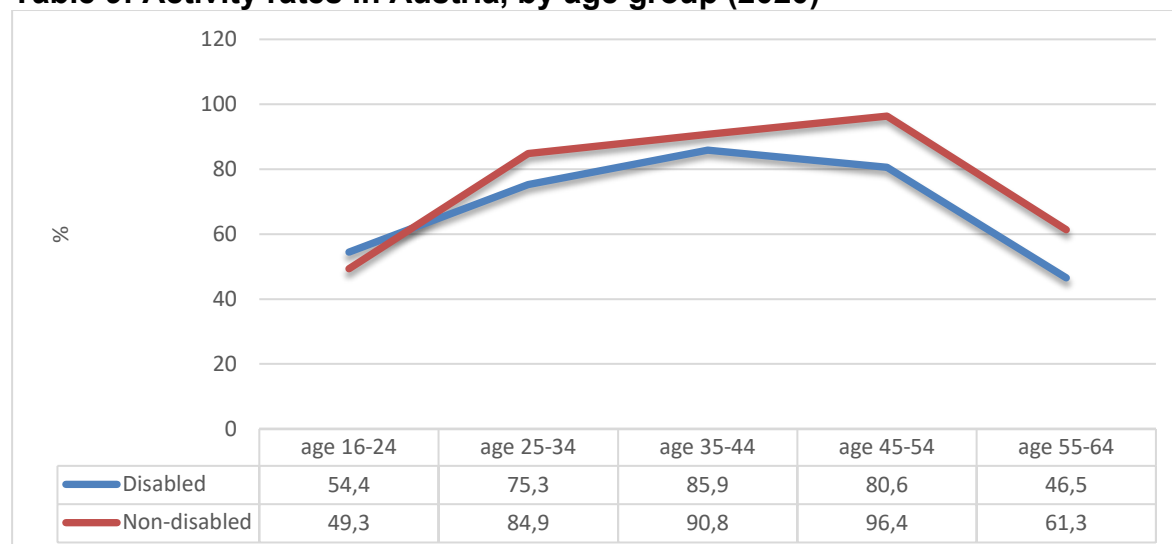
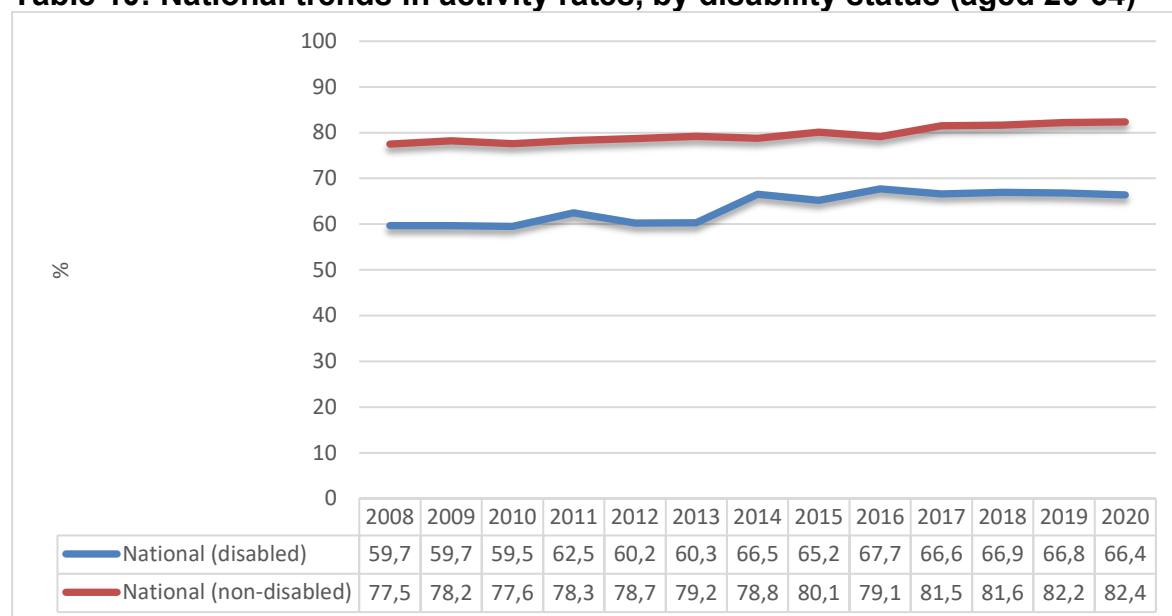


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

### 7.1.2 Economic activity

**Table 8: Activity rates in Austria, by disability and gender (aged 20-64) (2020)**



**Table 9: Activity rates in Austria, by age group (2020)****Table 10: National trends in activity rates, by disability status (aged 20-64)**

Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

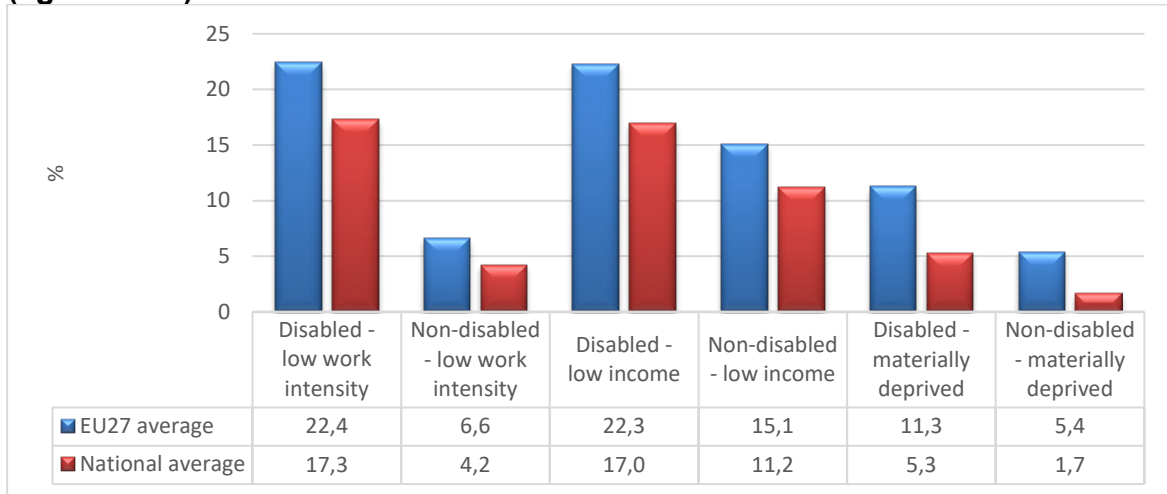
### 7.1.3 Alternative sources of labour market data in Austria

Disability data are not yet available from the core European Labour Force Survey but labour market indicators for Austria were disaggregated from ad modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.<sup>70</sup>

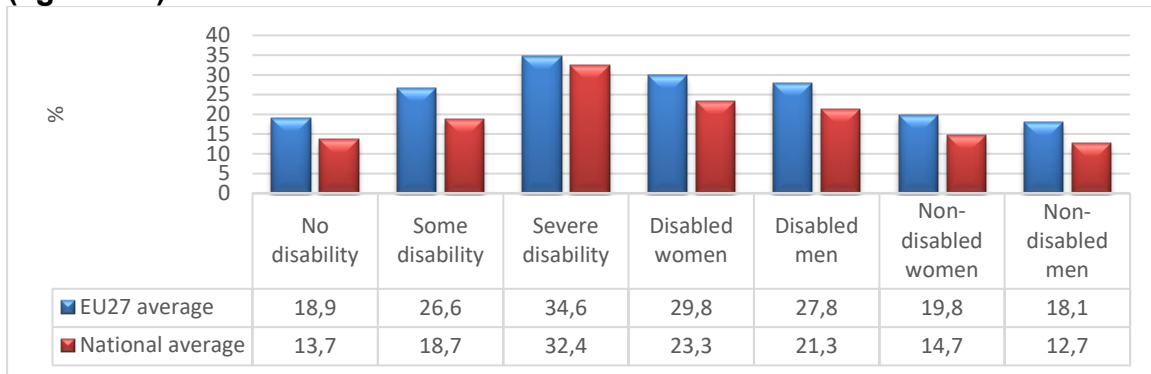
<sup>70</sup> Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

## 7.2 EU data relevant to disability, social policies and healthcare (2020)

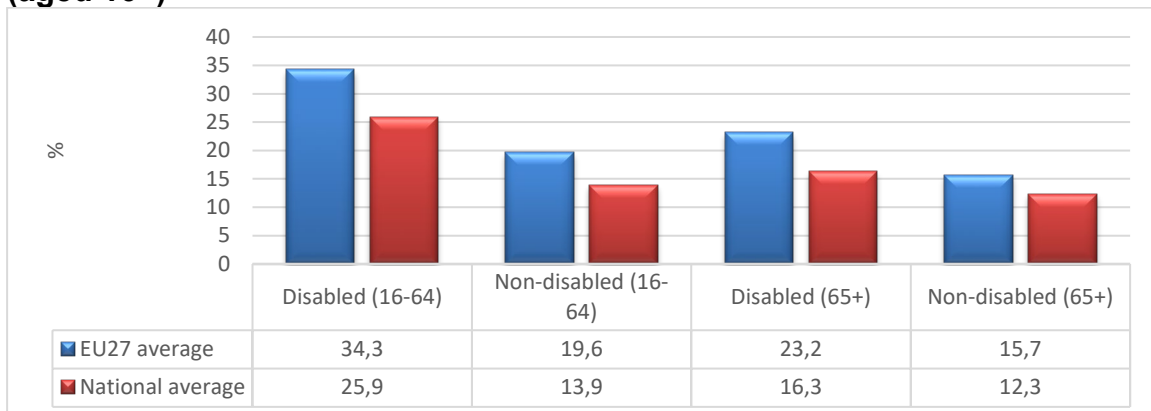
**Table 11: People at risk of poverty or social exclusion, by disability and risk (aged 16-64)<sup>71</sup>**



**Table 12: People at risk of poverty or social exclusion, by disability and gender (aged 16+)**



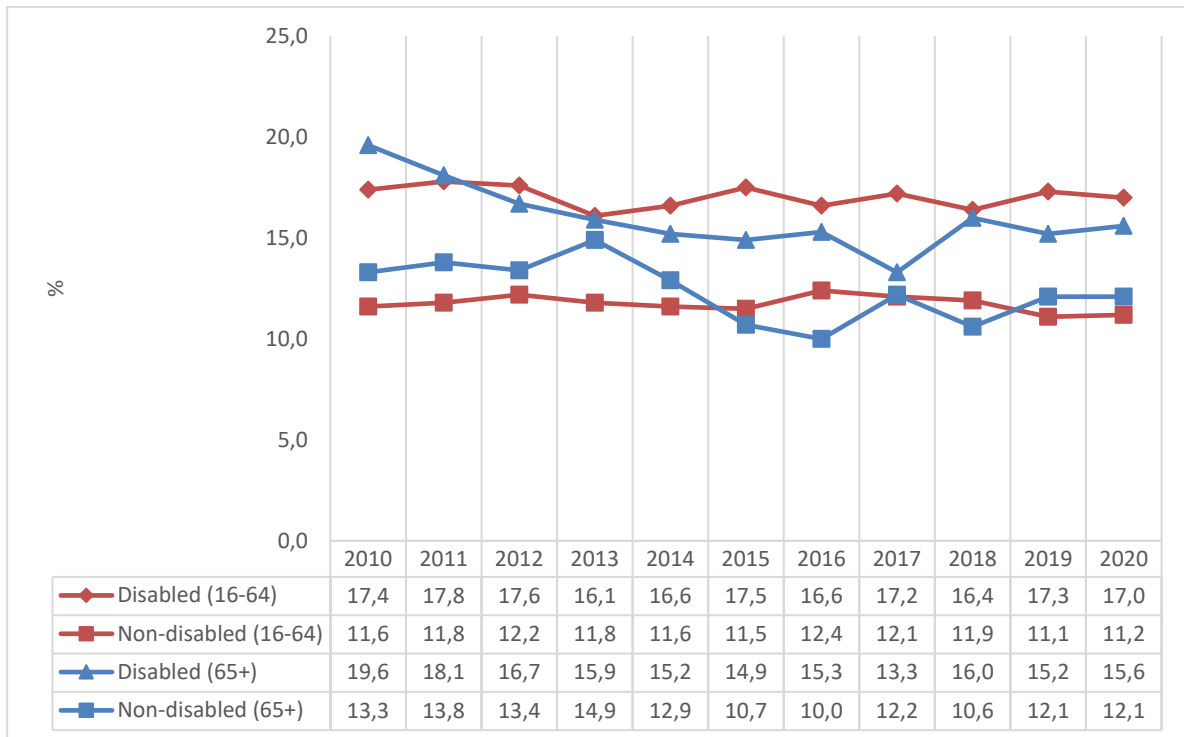
**Table 13: Overall risk of household poverty or exclusion by disability and age (aged 16+)**



Source: EU-SILC 2020 Release April 2022 (and previous UDB)

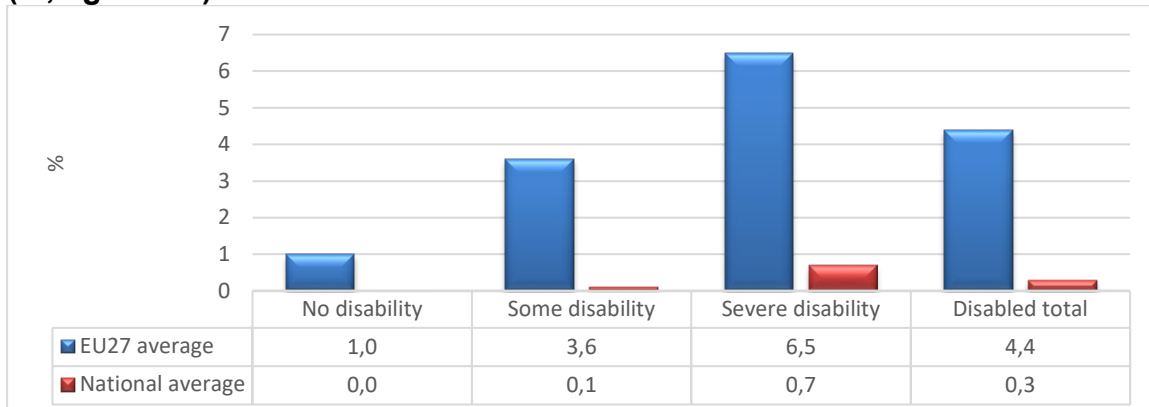
<sup>71</sup> Aged 16-59 for Low work intensity.



**Table 14: Trends in the risk of poverty after social transfers, by disability and age group**


Source: Eurostat Health Database [[hlth\\_dpe020](#)] – People at risk of poverty

Note: This table shows national trends in financial poverty risk, rather than the general AROPE indicator (which is not as comparable between age groups due to the effect of paid employment); the survey does not distinguish 'activity limitation' for children under 16.

**Table 15: Self-reported unmet needs for medical examination, 3-year average (% , aged 16+)**


Source: Eurostat Health Database [[hlth\\_dh030](#)] – 'Too expensive or too far to travel or waiting list'

Note: Due to large variations an average of three years is indicated. EU mean averages are also skewed by high values in a minority of countries within disability groups but median averages for the total disability and no disability groups in 2020 are consistent with the 3-year mean values.

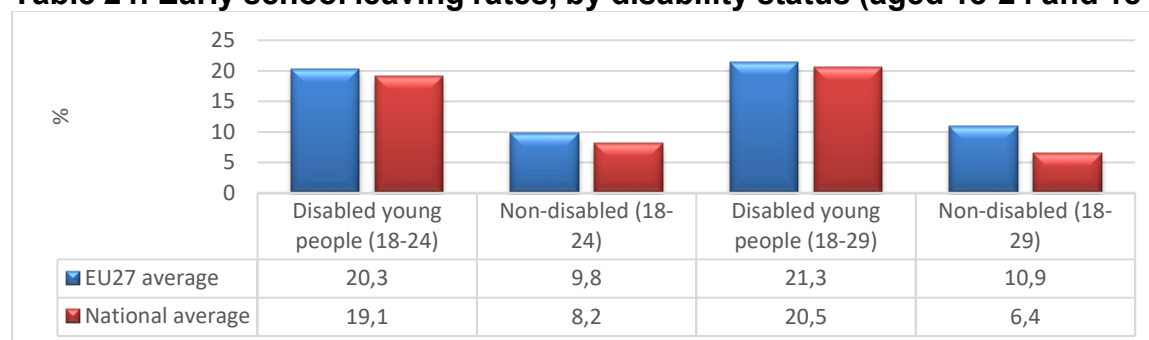
## 7.2.1 Alternative sources of poverty or health care data in Austria

The EU-SILC data provide a comprehensive and reliable source concerning poverty or social exclusion rates. In addition to the summary tables presented so far, the Eurostat disability database also contains breakdowns concerning disability and poverty before and after social transfers, as well as in-work-poverty.<sup>72</sup>

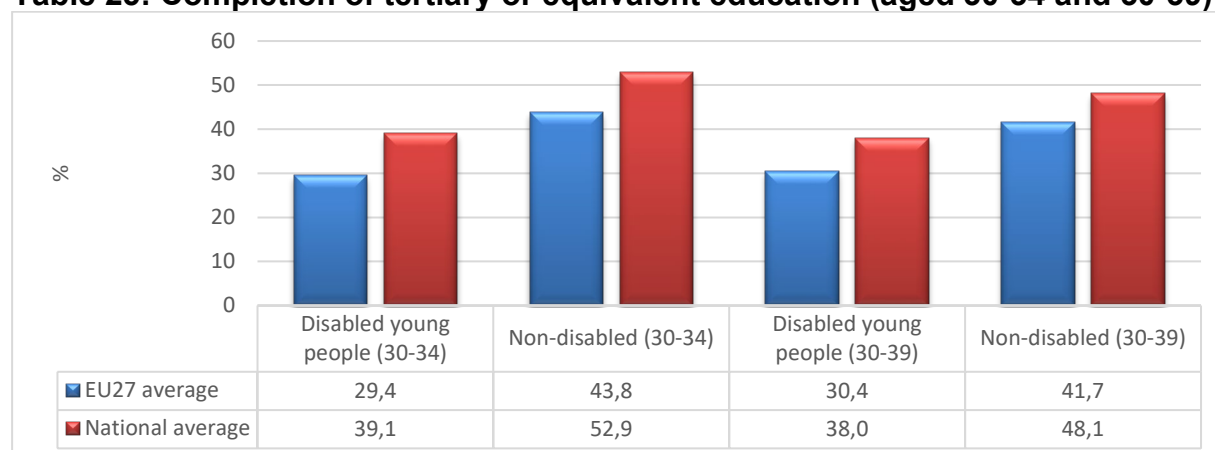
National surveys or studies may offer additional information.

## 7.3 EU data relevant to disability and education

**Table 24: Early school leaving rates, by disability status (aged 18-24 and 18-29)<sup>73</sup>**



**Table 25: Completion of tertiary or equivalent education (aged 30-34 and 30-39)**



Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

Note: Confidence intervals for the disability group are large and reliability low (due to the small sample size in the target age group). An average of several years may be needed to establish trends or to compare breakdowns by gender.

### 7.3.1 Alternative sources of education data in Austria

Statistics Austria publishes some data on pupils with special educational needs in different school settings: In the school year 2021/22 there was a total of 29 482 pupils with special educational needs in Austria, no gender disaggregated data are available. This number only includes those students who are officially certified as having special educational needs. 47.03 % of the SEN students (own calculation) attended special schools, 18.03 % attended primary schools, 31.48 % attended middle schools

<sup>72</sup> Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

<sup>73</sup> There was a change from ISCED 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition after this time.

(secondary I, no gymnasium) and 3.46 % attended polytechnical schools (own calculation).<sup>74</sup> No information is available on SEN students in any other type of schools like, e.g. any kind of secondary II schools, no information is available on students with disabilities who are not certified as SEN pupils, e.g. pupils with physical disabilities who attend any kind of school.

Data on early school leavers provided by Statistics Austria are not disaggregated by disability or SEN.

Recent data are only available for young people aged 14 years which are disaggregated according to the student's mother-tongue but not to disabilities or special educational needs.<sup>75</sup> The National Report on Education refers to data provided by Eurostat.<sup>76</sup>

No new data is available on Tertiary Education of persons with disabilities in Austria.

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<sup>74</sup> The source of this data on pupils with SEN in compulsory schools in the schoolyear 2020/21 (*Schülerinnen und Schüler mit sonderpädagog. Förderbedarf an allgem. bild. Pflichtschulen 2020/21*) was provided by Statistics Austria at the time of writing the report in 2022 but is no longer available in February 2023.

<sup>75</sup> See: [https://www.statistik.at/fileadmin/pages/321/055450\\_ohne\\_Ausbildung\\_nach\\_Schulpflicht\\_18\\_und\\_19.ods](https://www.statistik.at/fileadmin/pages/321/055450_ohne_Ausbildung_nach_Schulpflicht_18_und_19.ods) (accessed 7 September 2022).

<sup>76</sup> See: *Nationaler Bildungsbericht 2021, Teil 2: Bildungsindikatoren*, p. 293, [https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021\\_02.pdf](https://www.bmbwf.gv.at/dam/jcr:a22a38e6-e59d-44e2-9a09-a61a757b04c2/nbb2021_02.pdf) (accessed 7 September 2022).

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