

# The EU Mutual Learning Programme in Gender Equality

## Combatting digital forms of violence against women


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### Comments paper – Austria



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# Intersecting Inequalities Online: Cyber Violence Against Women in Austria.

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## Abstract

Cyber violence is a pressing issue in Austria, particularly impacting women, girls, and marginalised groups such as LGBTQIA+ individuals and non-German speakers. Despite comprehensive legal frameworks like the "Hate on the Internet Act," gaps in enforcement, underreporting, and a lack of public awareness hinder effective response and support for victims. To address this, Austria must prioritise intersectional approaches, enhance education on digital violence, and strengthen enforcement mechanisms while leveraging opportunities presented by the EU Directive on Violence Against Women to create safer digital environments.

## 1. Austrian Context

Cyber violence, defined as violence that utilises technological tools or occurs in digital spaces, is a form of violence by which women and girls are particularly affected.<sup>1</sup> It is often perpetrated by individuals known to the victim (e.g. partners, peers) as well as by strangers online. Cyber violence must be understood as a multifaceted phenomenon: it encompasses "online hate" (e.g. attacks on individuals based on their affiliation with a particular political or religious group or hate because of gender) and often includes psychological violence against the victim(s). It also occurs as a dimension of (ex-)partner intimate relationship violence and is often exerted through the monitoring and control of the victim's digital and or smart home devices.<sup>2</sup> Due to the relative novelty of the phenomenon, there have only been a few studies on the extent of cyber violence occurring in Austria.

A qualitative study by Verein Wiener Frauenhäuser (Association of Viennese Women Shelters) analysed the prevalence of cyber violence against women in violent intimate relationships in 2020.<sup>3</sup> A more recent survey by FH Campus Wien (2023) looked specifically at digital violence against women perpetrated by their (ex-) partners.<sup>4</sup> The most comprehensive study, however, was conducted in 2018 by the University of Vienna in cooperation with Weißer Ring, a victim protection and advocacy organisation: in this representative online survey (n=1,018) around a third (32 %) of the women and girls surveyed stated that they had been affected by online violence

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<sup>1</sup> Frauen\* beraten Frauen\*, 2023.

<sup>2</sup> Bundeskanzleramt Österreich, o. J.-a.

<sup>3</sup> Brem & Fröschl, 2020.

<sup>4</sup> Habringer et al., 2023.

at least once in the last year.<sup>5</sup> According to the study data, cyber violence is especially directed at young women and girls (63,3 % of 15–18-year-olds reported being victimised), LGBTQIA+ women (47 % reported being victimised, compared to 31 % of their heterosexual peers) and women who do not speak German as their primary language (42 % compared to 32 % of women with German as mother tongue).<sup>6</sup>

Looking at hate speech online, an advice centre to document incidents and help those affected was established in Austria in 2017.<sup>7</sup> Since then, the advice centre ZARA has recorded over 11,500 incidents of hate speech online, with 1,883 just in the year 2023.<sup>8</sup> 63 % of the incidents were reported by women and FLINTA\*<sup>9</sup> individuals, highlighting the impact of digital violence on these groups.

These numbers underline the importance of understanding cyber violence as a) an extension of violence that already happens offline and is extended to and amplified in online spaces, and b) a complex phenomenon calling for an intersectional analysis of power, oppression, and discrimination. A key characteristic of online violence, which is also described as particularly distressing by those affected, is the high level of publicity and visibility in which experiences of violence take place.<sup>10</sup> In recent years, anti-violence advocates have emphasised the need to acknowledge the role of technology and digital media as integral components of everyday life, and consequently, as a contributing factor to violence dynamics and as a medium for individual acts of violence.<sup>11</sup> A number of policies in Austria already address the issue of digital violence, however, this form of violence still remains under-researched, under-reported and often not taken seriously enough by the police and other official institutions.<sup>12</sup>

## 2. Policy Debate

Legal measures in Austria address cyber violence through criminal, media, civil, copyright, and administrative law. The Violence Protection Act (1997, updated 2019) introduced eviction orders, interim injunctions, and violence protection centres, with subsequent amendments adding a ban on approaching victims (2020) and mandatory violence prevention counselling for offenders (2021).<sup>13,14</sup> Stalking was outlawed with the introduction of § 107a StGB<sup>15</sup> in 2006 and extended with the “Anti-Stalking

<sup>5</sup> Bundesministerium für Digitalisierung und Wirtschaftsstandort, 2018; Universität Wien & Weißer Ring, 2018.

<sup>6</sup> Bundesministerium für Digitalisierung und Wirtschaftsstandort, 2018.

<sup>7</sup> ZARA, o. J.

<sup>8</sup> ZARA – Zivilcourage und Anti-Rassismus-Arbeit, 2024.

<sup>9</sup> FLINTA\* stands for female, lesbian, inter, non-binary, trans and agender people (The \* highlights all gender and non-gender) and is used widely in German speaking contexts to denote a coalition between cis women and other marginalised genders.

<sup>10</sup> Forschungszentrum Menschenrechte Universität Wien & WEISSER RING Verbrechensofferhilfe, 2018; Frauen\* beraten Frauen\*, 2023; Universität Wien & Weißer Ring, 2018.

<sup>11</sup> Bauer et al., 2021.

<sup>12</sup> Habringer et al., 2023.

<sup>13</sup> Bundeskanzleramt Österreich, o. J.-b.

<sup>14</sup> Bundeskanzleramt Österreich, o. J.-b; Bundeskriminalamt, 2021.

<sup>15</sup> StGB: Strafgesetzbuch = Austrian Criminal Code.

Injunction" (§ 382d EO).<sup>16</sup> As is evident, these policies are directed at the prevention of mainly physical violence, which primarily takes place in intimate partner or familial settings.

Austria addresses cyber violence through comprehensive legal measures targeting specific offenses. **Cyberstalking** is prohibited under §107a StGB, which bans the persistent pursuit of individuals using telecommunication channels or other devices. It also criminalises unauthorised use of personal data and publishing private or intimate images without consent. The 2016 "**Cyber Mobbing Paragraph**" (§107c StGB) penalises [persistent online harassment](#), though its application requires proof of severe misconduct.<sup>17</sup> If § 107 c StGB does not apply, it may still be a case of insult or defamation (§§ 111, 115 StGB), these are so-called [private prosecution offences](#), so the costs of these proceedings must be borne by the accuser and are therefore associated with considerable hurdles.

The "**Hate on the Internet Act**" (2021) strengthened protections against hate speech, simplifying the enforcement of civil and media law claims. The 2024 Digital Services Act further improved victim protection. The "**Upskirting Paragraph**" (§120a StGB) [prohibits nonconsensual image capture](#) of covered body parts, including in public spaces, regardless of whether the image is published.

**Sextortion** is an offence that is regulated through a number of paragraphs in the criminal code, including § 107 StGB dangerous threats, § 144 StGB extortion, and § 105 StGB coercion. These crimes can be punishable depending on the intensity or severity, according to these provisions.

"**Depictions of abuse of minors**" are addressed under §207a StGB, penalising possession, publication, or consumption of such depictions, with exceptions for consensual exchanges of intimate images between minors (older than 14), showing themselves. **Cybergrooming** (§208a StGB) criminalises initiating sexual contact with minors under 14, including with the aim of obtaining sexual images of the child. Additionally, § 208 prohibits the "**moral endangerment**" of children younger than 16 years, i.e. through exposing oneself in a life video chat. **Personal rights violations**, such as [unauthorised publication of recordings, intimate images or data](#), are also actionable under [various data protection laws](#) including GDPR.

## 2.1. Gaps in Legal Enforcement

Looking at the prevalence of internet and social media use in Austria, these additions to the criminal code came quite late and attest to a conservative stance in combatting violence against women, be it online or offline.

A 2023 study revealed, that in 47 % of cyberbullying reports that were filed by women in Vienna the previous year, the (ex-)partner was the main suspect. The majority of these women also reported other offences, such as dangerous threats. Of the criminal files analysed in more detail (n=45), merely 3 cases resulted in a court hearing and

<sup>16</sup> Bundeskanzleramt Österreich, o. J.-b.

<sup>17</sup> oesterreich.gv.at, 2024.

only one case resulted in a conviction; attesting to the very low conviction rate of such offences.<sup>18</sup>

In 2022, 110 cases of Cybergrooming (§ 208a StGB) were recorded, according to the Austrian Ministry of Interior. 2023 saw a slight increase in this number. The depiction of abuse of minors (§ 207a StGB) saw a year-on-year increase of 7.3 percent (2,061 reported cases in 2022), as of now there are no available numbers for 2023 or 2024.<sup>19</sup>

Improvements might be achieved by the implementation of the EU Directive “Violence Against Women”, which must be implemented in all EU countries by 2027. However, one of the main challenges seems to be a lack of reports of cyber violence incidents and a subsequent lack of convictions.<sup>20</sup> A gap that might be addressed by awareness-building of police and the public as well as educational programmes rather than legal tightening.

### 3. Good Practice Examples

#### 3.1. Guidelines Against Cyber Stalking

The City of Vienna’s MA 57 – Frauenservice (Department for Women’s Services), in partnership with Saferinternet.at, ÖIAT, Wiener Frauenhäuser, and Vienna CERT (computer emergency response team), has developed comprehensive guidelines for advocacy organisations to address cyberstalking. Originally published in 2017 and revised in 2022, these guidelines are distinguished by their integration of expertise from IT and forensic specialists at Vienna CERT, ensuring a robust and technology-informed approach. They provide detailed risk assessments, practical checklists, and protocols for various scenarios, including harassment via telecommunication devices, digital surveillance, social media tampering and cyberbullying, misuse of smart devices (including IoT-devices, smart speakers, baby phones, etc.), and GPS tracking. As the most extensive resource on cyberstalking intervention in Austria, the document is intentionally not published online to prevent misuse by offenders. This collaboration between women’s advocacy organisations and IT professionals offers a comprehensive model for addressing and mitigating digital violence effectively.

#### 3.2. Advocacy Organisations & Regional Contact Points

Austria hosts a diverse network of institutions, NGOs, and regional initiatives dedicated to reducing and preventing cyber violence against women and girls. These organisations offer accessible support through various channels, including chat, email, telephone, and apps, ensuring low-barrier access to immediate assistance and guidance for those affected.<sup>21</sup>

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<sup>18</sup> Habringer et al., 2023.

<sup>19</sup> Bundesministerium für Inneres, 2023, 2024.

<sup>20</sup> Femizide und Gewalt gegen Frauen in Österreich, o. J.; Habringer et al., 2023.

<sup>21</sup> The list of advocacy organisations and points of contact are non-comprehensive and should provide illustrative examples of services available to victims of digital violence in Austria.

### 3.2.1. Help for Women & Girls

- [ZARA Meldestelle #GegenHassimNetz](#): ZARA the centre for civil courage und anti-racism work, was commissioned to open a reporting office against hate online. Since 2017 ZARA publishes an annual report of incidents and accompanying statistics.
- [Helpchat #HaltderGewalt](#): offers online advice for women and girls in cases of digital violence. They have safeguards in place that allow victims to quickly leave the website, in case the offender enters the room.
- [Wiener Frauennotruf](#): one of the organisations with the most expertise in digital violence. Frequent [campaigns against digital violence against women](#); they offer information and advice in more than 10 languages.
- [Frauen\\* beraten Frauen\\*](#): this independent association offers psychosocial counselling and started the initiative “Netzamazonen”. They offer courses and workshops as well as [publications on how to identify and protect oneself against digital violence](#).
- [Amazone Vorarlberg](#): is a regional advocacy organisation addressing young women and girls; their innovative projects provide models for the rest of Austria. They developed a [comprehensive reader for victims of cyber violence](#) together with affected youth, which is available online.

### 3.2.2. Help for Children & Minors

- [Saferinternet.at](#): the Austrian Safer Internet Centre (SIC) exists to promote a safer and better use of the internet and mobile technologies among children and young people. It conducts thousands of workshops across Austria each year, (2024: reaching over 88.000 people). The site lists comprehensive resources [against hate online](#) and [digital violence](#).
- [Fachstelle Digitaler Kinderschutz](#): the Unit for Digital Child Protection is part of the Austrian Safer Internet Centre (Saferinternet.at) and was established to work on the prevention of digital (sexual) violence against children. It provides [free educational materials](#) and workshops.
- [Rat auf Draht](#): this helpline, specifically for affected children and youth has long expertise in the most pressing issues that affect minors. They offer free advice via chat and telephone, for affected children and their families, also on topics such as [hate online, cybermobbing, intimate depictions of minors and cybergrooming](#).
- [KIJA](#): Austrian Ombuds Office for Children and Youth offer regional (legal) advice for affected children, youth and their families.

## 4. Transferability Aspects

The diversity of Austria’s advocacy landscape with a high degree of specialisation and wide range of regional support enables tailored assistance, addressing specific needs effectively. However, a significant challenge lies in raising awareness about these resources, as many victims remain unaware of the available services.

**Austria could greatly benefit from adopting enhanced training for law enforcement and judiciary:** Both Finland and Iceland emphasise specialised training for police officers, prosecutors, and judges to handle digital violence cases effectively. Austria should adopt similar programmes to ensure law enforcement has the skills to investigate, collect evidence, and prosecute cyber violence cases, including cyberstalking and digital harassment. Similarly, advocacy organisations may benefit from education tailored to the complexities of these issues, ideally delivered in collaboration with technical experts. This ensures that support services are informed by both practical experience and technical insights, enhancing their effectiveness.

**Austria could benefit from a holistic and inclusive policy framework:** A comprehensive action plan, like Iceland's threefold approach addressing prevention, victim support, and criminal justice improvements, could strengthen Austria's strategy. Integrating feedback from victims, NGOs, and academic experts while ensuring political commitment and funding continuity would bolster efforts in effectively fighting cyber violence.

## 5. Conclusion & Recommendations

Cyber violence is a significant issue in Austria, disproportionately affecting women, girls, and marginalised groups such as LGBTQIA+ individuals and non-German speakers. While legal measures like the Violence Protection Act and the "Hate on the Internet Act" address digital violence, gaps in enforcement and awareness persist. Many victims are unaware of available aid services and legal remedies, leaving them unsupported. This is compounded by anticipated funding cuts by the newly elected right-wing government for violence prevention programmes, particularly for refugees and migrants, who are at heightened risk.

Counselling services also highlight a gap in recognising cyber violence as a distinct form of abuse, with only 13.3% of sessions in women's counselling centres addressing it in consultations.<sup>22</sup> This low percentage points to the need for greater awareness and targeted support.

An intersectional approach is crucial to addressing cyber violence effectively, considering gender, language barriers, and digital literacy. Increasing public awareness, securing funding for prevention programmes, and improving enforcement of existing laws are essential steps. As is evident looking at measures against femicides in Austria (being one of the few European countries with higher total numbers of women being murdered than men), early countermeasures to prevent the further spread of cyber violence are urgently needed.<sup>23</sup> The EU Directive on Violence Against Women offers an opportunity to strengthen Austria's response, but addressing underreporting and improving judicial outcomes remain critical to creating a safer digital environment especially for women and girls.

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<sup>22</sup> Habringer et al., 2023.

<sup>23</sup> Femizide und Gewalt gegen Frauen in Österreich, o. J.; Krickl, 2020.



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