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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.

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¹ 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 the European Semester in 2021

In Austria, the main challenge is that disability politics and policies are still perceived and implemented as an add-on and not as a cross-cutting policy issue. The provisions of the UN CRPD and the recommendations of its Committee are taken implemented only to a certain extent (if at all). Consequently, persons with disabilities face continuing challenges in comparison to other persons in Austrian society, which may become even more problematic in the COVID-19 context.

Implementation of the key points for the next Austrian National Action Plan Disability 2022-2030 are highly relevant to the European Semester in 2021 (for example in relation to employment, social inclusion and education). Without financial resources, coordination and clear responsibilities, indicators and systematic data collection, policies with positive potential will not be realised.

It is important for the Semester analysis in 2021 to refer to the situation and needs of persons with disabilities explicitly, in addition to the 'overall situation' in society (e.g. regarding employment or the social situation). There is ample evidence on which to base this in our report. In addition, there is a risk that persons with disabilities might be left out of the debate about impact and consequences of the COVID-19 pandemic.

Participation in the open labour market remains a challenge for persons with disabilities, particularly for those with more profound impairments and in the COVID-19 pandemic. The lack of comprehensive data on the employment situation of persons with disabilities makes it impossible to evaluate the effectiveness of measures in place.

Young persons, as well as adults, with disabilities have not been a 'target group' in the Semester and are neglected in the implementation. Recent evaluations (e.g. on the ESF program), have made this evident. The data indicates a particularly high early school leaving rate among young persons with disabilities which demands attention.

According to the official evaluation of the Austrian operational programme for the implementation of the ESF the strategy of mainstreaming disability and accessibility into the ESF programs has failed. The evaluation indicates a lack of knowledge and structure for implementing disability mainstreaming as a horizontal objective as intended. Comprehensive data collection and research regarding disability specific issues is recommended by the ESF as well as by the NAP evaluation.

There is still a strong tendency of institutionalizing persons with disabilities regardless of their age in Austria: Special schools with boarding facilities, sheltered workshops and living facilities constitute well established and powerful segregating structures. A well elaborated action plan for comprehensive de-institutionalization with specific measures, robust indicators and a reasonable timeframe needs to be developed. ESIF should be used to develop and establish community-based services for inclusive education, employment, living and participation of all persons with disabilities, including those with profound impairments.

1.2 Recommendations for Austria

The following recommendations are based on the evidence and analysis presented in the following chapters of our report and refer to basic and fundamental requirements for formulating and implementing disability politics and policies in Austria.

Recommendation: Persons with disabilities should be defined and represented as a distinct target group for policy priorities of the European Semester in Austria.

Rationale: Persons with disabilities are not represented as a distinct target group in the NRP. A recent evaluation of the current ESF programme in Austria showed that persons with disabilities are underrepresented and not enough included in the programme implementation although Disability Mainstreaming and Accessibility are a horizontal target. This is supported by EU SILC data on employment and education. There is a high need for sensitization, awareness raising and the building of know-how regarding the effective inclusion of persons with disabilities for programme development and programme implementation. Without a clear focus on the specific situation and the needs of persons with disabilities in the NRP this sensitization, awareness raising and building of knowledge are unlikely to happen.

Recommendation: Systematize data collection and in-depth research on children and adults with disabilities regarding education, health, employment and social inclusion.

Rationale: Without robust, comprehensive and meaningful evidence about the situation of children and adults with disabilities neither an analysis of the status quo nor strategic policy planning for future development is possible. This is also relevant to evaluate the effectiveness of the use of ESIF for persons with disabilities. A recent evaluation of the ESF programme showed that verifiable objectives on how well persons with disabilities are reached cannot be defined due to the lack of robust data on persons with disabilities in Austria.

Recommendation: ESIF must be used strictly for projects that aim at the inclusion of persons with disabilities and non-discrimination. This includes measures to improve qualification for the general labour market, as well as deinstitutionalisation and the development of community-based services. An effective programme for deinstitutionalisation of persons with disabilities needs to be developed in Austria.

Rationale: Data indicates that young persons with more severe disabilities are excluded from the labour market in projects co-funded by ESF. Furthermore, EAFRD is used for building new and renovating existing living facilities for children and adults with disabilities as well as sheltered workshops. Such institutions bear a high risk of segregation and discrimination for persons with disabilities. All this is in contradiction to the rights enshrined in the EU Charter on Fundamental Rights, the Council Directive 2000/78/EC, the European Pillar of Social Rights, the UN CRC and the UN CRPD.

2 Opportunities to mainstream disability equality in the Semester documents

2.1 [Country Report](#) for Austria (Staff Working Document)

In 2020, the Country Report for Austria included the following direct references to disability issues:

- p. 16 The European Social Fund (ESF) helps to prevent and combat unemployment by extending the range of training on offer and improving the functioning of the labour market. So far, this has helped 22,996 people who had been longterm unemployed. The ESF has also promoted the social integration of disadvantaged people (34,225), people with a migrant background (90,734), young people/NEETs (20,929) and people with a disability (3,761). By the end of 2018, 167,123 had benefited from ESF-funded operations.'

Generally referring to the 2020 CR for Austria it has to be mentioned that still (as in the last years), an explicit reference to persons with disabilities as a relevant 'target group' for policies is missing. This becomes obvious in several parts of the CR for Austria, for example:

On p. 5, it is argued that the '[O]verall employment has grown, but the employment gender gap has widened since 2016.' - no mention of persons with disabilities and the widening employment gap between persons with/out disabilities.

Also, on p. 5, it is argued that '[W]hile the overall social situation is improving, is [sic] the benefits are not spread evenly across social groups.' - again, no mention of persons with disabilities and their families regarding the risk of poverty and/or social exclusion.

And again on p. 5, it is argued that '[E]ducational attainment remains strongly influenced by socio-economic or migrant background' - again, no mention of persons with disabilities with regards to educational outcomes.

As long as persons with disabilities are not recognised and addressed as a 'target group' with specific support needs, the situation for persons with disabilities will not ameliorate in Austria. Hence, the Commission staff needs to highlight the fact that an explicit disability perspective is necessary and that persons with disabilities should neither be subsumed under the unspecific term 'vulnerable groups' nor left out explicitly when addressing/discussing progress, regress or stagnation regarding policies.

Explicitly, persons with disabilities are mentioned in the CR Austria on p. 16. With reference to the European Social Fund (ESF) it is argued that 'ESF has also promoted the social integration of disadvantaged people (34,225), people with a migrant background (90,734), young people/NEETs (20,929) and people with a disability (3,761). By the end of 2018, 167,123 had benefited from ESF-funded operations.'

On table C.4 (p. 63), the expenditure on social protection benefits (% of GDP) are shown: Since 2013, the expenditure regarding disability declined from 2,1 in 2013 to 1,8 in 2017.

An evaluation of the operational program for ESF was published in 2019. Among others, it investigated the horizontal objective 'Disability Mainstreaming and Accessibility' with regard to its overall effectiveness and success of the implementation.² The data mentioned in the country report is referred to in the evaluation: by the end of 2018, 3 % of all participants of ESF projects were officially recognised persons with disabilities (61 % men, 39 % women), but the difficulty to assess how well persons with disabilities as a target group is reached in the programme implementation is emphasized in the evaluation. This is due to a lack of data on persons with disabilities to define objectives as well as references to the general population. As there is no consistent legal definition of persons with disabilities in it is difficult to indicate if participants in ESF projects would qualify as persons with disabilities. Thus, it is assumed that persons with disabilities are often merged into the category of disadvantaged groups.³

Additionally, ESF application forms included the item 'contribution to accessibility for persons with disabilities' which was analysed. The findings showed that 35 % of all project proposals included minimal and 33 % included more detailed references to accessibility for persons with mobility impairments. 30 % of all project proposals included comprehensive references to accessibility of persons with different impairments. 2 % of all project proposals did not include any information on accessibility features. The effective implementation of accessibility for all persons with disabilities would need extra funding but the responsibility for this funding is unclear.⁴

Interviews with experts from DPOs resulted in the following main findings:

- The broadening of the target group for Youth Coaching supported the inclusion of young persons with disabilities.
- Without specifically defined measures and financial as well as personal resources an effective and comprehensive implementation of disability mainstreaming and accessibility is not possible.
- It would be important to include persons with disabilities as a specific target group for investment priority as they have a particular risk of unemployment and poverty.
- Compared to Gender Mainstreaming, Disability Mainstreaming is much less developed and established; sensitivity and support for Disability Mainstreaming is underdeveloped.
- There is no responsible persons or focal point for implementing Disability Mainstreaming and Accessibility into the ESF programme in Austria.⁵

It is concluded that there is much potential for the further development of Disability Mainstreaming and Accessibility in ESF programmes in Austria. However, Disability Mainstreaming is no established approach and there is not enough knowledge on how

² Österreichisches Institut für Wirtschaftsforschung (WIFO) (2020). *Das Operationelle Programm Beschäftigung des Europäischen Sozialfonds – Österreich 2014-2020. Bericht der Begleitenden Evaluierung zu Konzeption und Umsetzung*, pp. 139-147, https://www.esf.at/wp-content/uploads/2020/08/ESF_Evaluierung_Bericht_Umsetzung_2019.pdf.

³ Österreichisches Institut für Wirtschaftsforschung (WIFO) (2020), p. 144.

⁴ Österreichisches Institut für Wirtschaftsforschung (WIFO) (2020), pp. 140ff.

⁵ Österreichisches Institut für Wirtschaftsforschung (WIFO) (2020), pp. 139f.

to implement it. Thus, sensitization, awareness raising and the building of know-how for programme development and programme implementation are necessary.⁶

Thus, we recommend that persons with disabilities should constitute a distinct target group of the partnership programme with distinct measures that effectively aim at their full inclusion into society.

2.2 Country Specific Recommendation for Austria (CSR)

In the context of the main theme of the 2020 CSR for Austria - namely COVID-19 - persons with disabilities are mentioned once in the 2020 CSR for Austria, namely on p. 5 in (19), where it is argued that '[D]isadvantaged students, including learners with disabilities, suffer particularly in circumstances that require distance learning.' Besides the fact that here (at least once) persons with disabilities are mentioned, specific support needs are not addressed and also, in the following sentences it becomes obvious that persons with disabilities - again - are left out of the discussion, focusing on women with regard to a 'recovery strategy that improves access to inclusive, good-quality early childhood education and care which has been shown to redress social disadvantages (p. 5).

Similar to the CSR for Austria, the Commission staff needs to make clear for the CSR for Austria that persons with disabilities are and will be extensively, and in many respects affected by the general COVID-19 situation. Disability related issues are no 'add on' for formulating and implementing policies but cross-cutting issues and hence, need to be explicitly addressed in general policymaking.

Analogous to chapter 2.1 CSRs should include persons with disabilities as a distinct target group. With regard to (distance) learning, a focus on digital skills as well as on assistive technologies should be recommended for learners with disabilities. Furthermore, the use of ESIF for the segregation and exclusion of children, young persons and adults with disabilities as explained in chapter 6.1 should be ended.

⁶ Österreichisches Institut für Wirtschaftsforschung (WIFO) (2020), pp. 145f.

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 National Action Plan on Disability 2012-2020 (NAP) was evaluated and first steps were taken to develop a follow up NAP. With regard to the labour market situation of persons with disabilities, the NAP evaluation concludes that only minor improvements have been made. The lack of detailed and specific data makes a more comprehensive analysis impossible. The unemployment rate of persons with disabilities increased in the period of the NAP implementation (2012–2020) and measures to counter this development were not set sufficiently.⁷ The NAP evaluation points out the following main problems among others:

- The division of competences between the Federation and the *Länder* hinder the transition from sheltered workshops to the open labour market (see 3.1 for further details).
- One of the main problems is the assessment of incapability to work and the lack of regular employment in sheltered workshops (see chapter 3.1 for further details).⁸

The NAP evaluation recommends among others:

- More detailed data and research on the persons with disabilities and the labour market in Austria.
- Assessment if the concept of 'incapability to work' is in line with the UN CRPD.
- A focus on support measures for young persons with more severe disabilities.
- Regular employment for persons with disabilities in sheltered workshops to ensure their social security independent of their family.
- Developing models for the transition from sheltered workshops to the general labour market.⁹

⁷ BMSGPK (2020), *Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 28 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

⁸ BMSGPK (2020), *Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 29 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

⁹ BMSGPK (2020), *Endbericht. Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-*

3.1 Summary of the labour market situation of persons with disabilities

Data from EU-SILC indicate an employment rate for persons with disabilities in Austria of 56.5 % in 2018, compared to 77.5 % for other persons and approximately 5.8 points above the EU27 average - resulting in an estimated disability employment gap of approximately 21 percentage points (EU27 average gap 24.2, see Tables 2-4).

The same data indicate unemployment rates of 15.6 % and 5.0 %, respectively in 2018 (see Tables 5-7) and the economic activity rate for persons with disabilities in Austria was 66.9 %, compared to 81.6 % for other persons (see Tables 8-10). These indications are broken down by gender and age in the respective tables in annex.

Compared to EU27 average, EU SILC data indicates a higher quota of persons with disabilities in Austria (persons reporting activity limitations in the survey) and the quota of persons who indicate a severe disability is slightly lower in Austria. This suggests that persons with mild or moderate impairment may be over-represented or/and that the share of persons with severe disabilities aged 20–64 is under-estimated in EU SILC data (see further down). Persons who are officially considered capable but limited in work capacity are identified separately in national administrative sources (see Annex 7.1.3).

Table 3 shows the employment gap between persons with and without disabilities in Austria, with the largest gap in the age group 55 – 64. Older persons with disabilities (or health impairments) have a much higher risk of unemployment than younger persons with disabilities. Although the general employment rate was increasing between 2016 – 2018, this positive effect was not transferred to persons with disabilities. This resulted in a distinctly higher unemployment rate of persons with disabilities compared to non-disabled persons in Austria, although the unemployment rate of persons with disabilities was slightly lower than the EU27 average (for this sample rather than for persons considered incapable to work). Regarding age groups, the highest unemployment gap is among young people with and without disabilities: 24.9 % of persons with disabilities aged 16-24 are unemployed compared to 5.7 % non-disabled persons aged 16-24. Thus, young people with disabilities have a significantly higher risk of unemployment than older persons with disabilities. The smallest gap is reported for the age group 45-54: 11.5 % (disabled) compared to 3.6 % (non-disabled) unemployment. Economic activity is distinctly higher for non-disabled persons than for disabled persons and there is an obvious gender gap: Disabled women are less likely to be economically active compared to disabled men as well as to non-disabled women. Highest economic activity is reported for the age group 45-54. Interestingly, although unemployment is much higher among persons with disabilities aged 16-24, the economic activity rate for this group is almost the same compared to non-disabled persons in this age group.

Compared to 2018, the labour market situation improved slightly for persons with disabilities in 2019 (see details in 7.1.3) but deteriorated in the first half of 2020 most

Behindertenrechtskonvention. Wien, p. 29 [in German],
https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

likely because of the COVID-19 pandemic.¹⁰ The lack of data and research does not allow a more detailed and comprehensive analysis. Generally, persons with disabilities are often not mentioned as a specific target group in reports on labour market development. They are often referred to and merged into the group of persons with health problems or are meant to be included in the term ‘disadvantaged groups’. This is also the case in the NRP where persons with disabilities are practically invisible and illustrated the weak implementation of Disability Mainstreaming in Austrian policy in general.

Finally, the general lack of data and research on the overall situation of persons with disabilities in Austria has been repeatedly criticised for many years, e.g. in a recently published case study on digitalisation and the labour market inclusion of persons with disabilities. The report recommends the improvement of data collection as ‘systematic data collection and study is vital to understanding the employment situation of people with disabilities.’¹¹ Despite some ‘robust data on people with disabilities in the labour market, standardised data on the employment situation of people with disabilities across all of Austria’s federal states is still lacking. This makes the work of policy-makers and organisations for people with disabilities much more difficult.’¹² The improvement of data on the employment situation of persons with disabilities is also the first recommendation in the NAP evaluation regarding the field of occupation and employment as well as the evaluation of the ESF programme in Austria (see chapter 2.1).

3.2 Analysis of labour market policies relevant to the Semester

Country-specific recommendation no. 2 includes the need to ‘raise the levels of basic skills for disadvantaged groups, including people with a migrant background.’¹³ The lack of basic skills constitutes a particularly high risk of long-term unemployment as is emphasized in the NRP: ‘Persons with low levels of qualification, older workers and persons with health restrictions are the main groups at risk of long-term unemployment.’¹⁴ In a chapter on improving basic skills for disadvantaged groups the NRP describes a Federal programme for adult education but persons with disabilities or health restrictions are not mentioned once, contrary to other disadvantaged groups. The planning document of this Austrian wide programme for the period as of 2018.¹⁵ Thus, it cannot be assessed if this programme has positive effects on the qualification

¹⁰ All data retrieved from the official website of the Federal Ministry on Work, Family and Youth: <https://www.dnet.at/elis/Arbeitsmarkt.aspx>.

¹¹ BMASGK (2019). Final Report – ‘The impact of digitalisation on labour market inclusion of people with disabilities. Lessons from two case studies on Austria and platform work’ (in English), p. 65 <https://www.sozialministerium.at/dam/jcr:aa76c330-38bc-47de-a4fc-c5db46e30bc7/Final%20Report%20-%20The%20impact%20of%20digitalisation%20on%20labour%20market%20inclusion%20of%20people%20with%20disabilities.pdf>.

¹² BMASGK (2019), p. 65.

¹³ Federal Chancellery Republic of Austria (2020). *National Reform Programme Austria*, p. 16. https://ec.europa.eu/info/sites/info/files/2020-european-semester-national-reform-programme-austria_en.pdf.

¹⁴ Federal Chancellery Republic of Austria (2020). *National Reform Programme Austria*, p. 21. https://ec.europa.eu/info/sites/info/files/2020-european-semester-national-reform-programme-austria_en.pdf.

¹⁵ See website of this Austrian wide programme: <https://www.initiative-erwachsenenbildung.at/initiative-erwachsenenbildung/was-ist-das/>.

of persons with disabilities to improve their chances on the general labour market. However, it is a typical example to show how weakly developed the horizontal objective of Disability Mainstreaming and Accessibility for persons with disabilities is in Austria.

The NRP also mentions the Austrian wide programme Fit for Education (*AusbildungsFit*) as a measure to improve basic skills among young persons which including those with disabilities.¹⁶ However, data indicates that young men and women with more severe disabilities are likely to be segregated and do not have access to this programme although it is co-funded by ESIF (see also chapter 6.1).

The high economic activity rate of persons with disabilities aged 16-24 (see 3.1) might indicate the insufficient participation of young persons with disabilities in tertiary education in Austria as non-disabled people of this age-group, who are more likely in training or education, are not considered economically active.

Digital skills are a focus of qualification and training for the future.¹⁷ A study published in 2019 investigated the potential of digitalisation for the inclusion of persons with disabilities in the labour market.¹⁸ The authors conclude with the following recommendations which should be considered in the NRP:

- Austria has no overall digital strategy and should consider adopting one. Such a digital strategy should mainstream the inclusion of persons with disabilities and consider particular aspects of this target group. Long term research and development of assistive technologies should be included as well as a coordination between *Länder* and state-level policies.
- Information is often not accessible to all persons with disabilities in Austria and there should be a focus on making information more accessible.
- Assistive technologies are often not available for persons out of the labour market. The access to quality assistive technologies should be ensured for all persons with disabilities which would improve chances on the labour market.¹⁹

A major barrier to inclusive employment is constituted in the General Social Security Act (*Allgemeines Sozialversicherungsgesetz, ASVG*) which in Paragraph 273 defines 'incapability of work' (*Arbeitsunfähigkeit*) as a consequence of disability and/or other forms of disease/ailment. This is set at a work performance level of 50 % compared to a non-disabled employee or worker. Only persons who are considered to have at least a 50 % work performance are covered by the Federal Disability Employment Act and are entitled to support measures defined by this Act. All other adults with disabilities fall under the competence of the nine *Länder* where they usually attend sheltered workshop, spend their time in care institutions or with their families. No is data available on how many persons of working age are assessed as incapable of work, nor are these persons included in labour market data. In its report to the UN CRPD

¹⁶ Federal Chancellery Republic of Austria (2020), p. 22.

¹⁷ Federal Chancellery Republic of Austria (2020), p. 22.

¹⁸ See BMASGK (2019).

¹⁹ See BMASGK (2019), pp. 62ff.

the Austrian Ombudsman Board (AOB) is concerned because an 'increasing number of very young persons with impairments who were certified as incapacitated based on a medical report contacted the AOB because of the associated lack of access to the offers and services of the Public Employment Service Austria.'²⁰ The AOB further points out that persons with more profound support needs are not sufficiently included into measures for the inclusion on the general labour market. This confirms the conclusion of the last ANED report for the European Semester which recommended that 'there should be a more distinct focus on persons with more severe disabilities or limitations. These groups tend to be quickly segregated from the general labour market even at a very young age.'²¹ As mentioned above, this was confirmed by the NAP evaluation.

²⁰ Austrian Ombudsman Board (2018). Written contribution (*to the UN CRPD committee, note by the authors*), p. 30, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fIFR%2fAUT%2f32189&Lang=en.

²¹ European Semester 2018/2019 country fiche on disability Austria, <https://www.disability-europe.net/downloads/931-country-report-at-task-1-3-eu2020-2018-2019>.

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

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

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

‘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.’

[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.’

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

[No observation was made on health.]

In chapter 17 (especially chapter 17.11) of the evaluation of the National Action Plan Disability 2012-2020²² policy recommendations are formulated, and future policy developments are discussed which directly affect persons with disabilities (in the context of disability as a cross-cutting policy issue) in the context of the next National Action Plan Disability 2022-2030: Participation of persons with disabilities, financial resources, coordination and clear responsibilities, indicators and systematic data collection will be needed to develop policies which positively affect the situation for persons with disabilities.

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 16.4 % in 2018, compared to 11.9 % for other persons of similar age - an estimated disability poverty gap of approximately 5 percentage points (see Table 14). For people aged over 65, the disability poverty gap was 5.4 points (16.0 % for older persons with disabilities and 10.6 % for other persons of similar age). The tables in annex also indicate the respective rates of AROPE and break these down by gender as well age.

²² BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 692 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

In the evaluation of the National Action Plan Disability 2012-2020,²³ 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 points²⁴ 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 (see ANED website) are:

- lack of de-institutionalisation for children and adults with disabilities²⁵ (see below);
- limited/reduced access to healthcare (not only) during the COVID-19 pandemic (see below);
- missing disability mainstreaming in the context of changing structures of social support systems (see below).

4.2 Analysis of social policies relevant to the Semester

Social policies

Regarding the lack of de-institutionalisation, this key point overlaps with the 2013 Concluding Observations on the Initial Report of Austria by the UN CRPD Committee and also with the List of Issues (LOI) Prior to the Submission of the Combined Second and Third Periodic Reports for Austria, published in 2018. In the 2013 Concluding Observations, the UN Committee ‘urges the State party to develop de-institutionalization strategies based on the human rights model of disability’ (Article 14), and referring to Article 19, the UN Committee argues 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’. In the 2018 LOI, in 13. and 38. the situation regarding (de-)institutionalization is addressed, and in 17., access of health and social services is addressed. The not yet published comprehensive evaluation of the National Action Plan Disability 2012-2020 highlights the fact that still, no plans for de-institutionalisation are discussed/implemented.²⁶

²³ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*, Wien, p. 505 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

²⁴ Besides all the other points addressed in the previous ANED European Semester Reports for Austria, see ANED website.

²⁵ See ANED ‘Country report on Living Independently and being Included in the community’ (2019), via <https://www.disability-europe.net/country/austria>.

²⁶ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, pp. 30 and 522f [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

Regarding the above-mentioned key point no. 3 (missing disability mainstreaming), the unpublished and comprehensive scientific evaluation of the National Action Plan Disability 2012-2020 highlights the fact that still (2020) disability mainstreaming is missing.²⁷ The 2018 Monitoring Report to the UN Expert Committee for the Rights of Persons with Disabilities on the Occasion of the Second Constructive Dialogue with Austria argued the same way, saying that '[D]isability mainstreaming has not yet found its way into Austrian administration and politics'²⁸ and that 'no measures for disability mainstreaming have been set by the federal government since the last Universal Periodic Review.'²⁹

This missing disability mainstreaming perspective is even more problematic as currently, the social support structures are changing. On 1 June 2019, the so-called *Sozialhilfe-Grundsatzgesetz* (Basic Social Welfare Law, BGBl. I No. 41/2019) came into force (see also chapter 4.2), but already on 12 December 2019, the Constitutional Court repealed two of the provisions, arguing that they are unconstitutional, namely the maximum rates for children and the linkage between social care and language proficiency.³⁰ In July 2020, the Austrian Disability Council (*Österreichischer Behindertenrat*) argued that in the context of the new law's patchy implementation on the *Länder* level, only one of the *Länder* (Carinthia) utilises the scope of the law for persons with disabilities so far, although also in other *Länder*, persons with disabilities and DPOs strongly argued in favour of using opportunities provided in the new law.³¹

Regarding the risk of poverty (see 2020 NRP for Austria, pp. 54-56; see also chapter 7.2), the Austrian country report for the evaluation of the European Disability Strategy (EDS) for Austria³² points to the lack of comprehensive and detailed data on persons with disabilities is discernible; in most statistical data, persons with disabilities are subsumed under the term 'marginalised groups', neglecting specific needs, living conditions and circumstances of persons with disabilities and their families. In the evaluation of the National Action Plan Disability 2012-2020 it is argued that the

²⁷ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 16 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

²⁸ Austrian Independent Monitoring Committee (2018). *Monitoring Report to the UN Expert Committee for the Rights of Persons with Disabilities on the Occasion of the Second Constructive Dialogue with Austria*, p. 33, https://www.monitoringausschuss.at/download/berichte/MA_Geneva_Report_engl.pdf.

²⁹ Austrian Independent Monitoring Committee (2018). *Monitoring Report to the UN Expert Committee for the Rights of Persons with Disabilities on the Occasion of the Second Constructive Dialogue with Austria*, p. 34, https://www.monitoringausschuss.at/download/berichte/MA_Geneva_Report_engl.pdf.

³⁰ For this finding of the Constitutional Court see https://www.vfgh.gv.at/medien/VfGH_zu_Sozialhilfe-Grundsatzgesetz_Hoehstsatzsysteme.de.php.

³¹ Österreichischer Behindertenrat (2020). *Durchwachsene Umsetzung des Sozialhilfegesetzes auf Bundesländerebene. OTS Meldung* [in German], https://www.ots.at/presseaussendung/OTS_20200716_OTS0015/durchwachsene-umsetzung-des-sozialhilfegesetzes-auf-bundeslaenderebene.

³² Evaluation report of the EDS not yet signed off by the European Commission, but permission to use the country report. Data for the country report are based upon one focus group and six interviews with relevant stakeholders in the field of disability in Austria during fall 2019. Austrian country report and data collection done by Ursula Naue.

Austrian Disability Council (*Österreichischer Behindertenrat*) estimates a number of around 96.000 persons with disabilities living in poverty.³³

The most relevant policy development refers to the already in chapter 4.1 mentioned *Sozialhilfe-Grundsatzgesetz* (SH-GG, Basic Social Welfare Law, BGBl. I No. 41/2019) which came into force on 1 June 2019 as a replacement of the needs-based minimum income. Krammer argued in an article in 2019³⁴ that the tight definition of the requirements for getting the so-called 'Behindertenbonus' (bonus for persons with disabilities) are a barrier for persons with disabilities to be eligible for this bonus (at least 50 % reduction in earning capacity necessary). Even when a person is eligible, in a next step (as Krammer argues), if this person needs support for personal assistance or assisted living, this is fully credited as part of the bonus. In a recent article, Krammer argues³⁵ that the implementation laws of the two *Länder* (Lower Austria and Upper Austria) which have already implemented the *Sozialhilfe-Grundsatzgesetz*, highlight the main problem with the new legislation, namely the low level of the highest rates for social benefits as the basis for harmonisation of social care in Austria which disadvantages certain 'groups' within society. This became especially obvious during the COVID-19 pandemic crisis in spring when persons could not pay the rents any longer. In the context of the evaluation of the National Action Plan Disability 2012-2020, the interviewed experts argue that the needs-based minimum income increases the risk of poverty.³⁶ But also the new law - at least in its current phase of implementation - does not lower the risk of poverty so far.

Healthcare

Regarding the above-mentioned key point no. 2 (limited/reduced access to healthcare), the not yet published comprehensive evaluation of the National Action Plan Disability 2012-2020 highlights the fact that still in the healthcare system multiple barriers exist for persons with disabilities.³⁷ Also, it is mentioned that the measures in

³³ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 502 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf

³⁴ Norbert Krammer (2019). *Sozialhilfe - Viele Enttäuschungen*. BIZEPS Nachrichten Online, <https://www.bizeps.or.at/sozialhilfe-viele-enttaeusungen/> [in German].

³⁵ Norbert Krammer (2020). *Verbesserte Mindestsicherung muss Sozialhilfe-Baustelle ablösen*. BIZEPS Nachrichten Online, https://www.bizeps.or.at/verbesserte-mindestsicherung-muss-sozialhilfe-baustelle-abloesen/?utm_source=BIZEPS+Newsletter&utm_campaign=97e6b2f9c5-EMAIL_CAMPAIGN_20180806_COPY_01&utm_medium=email&utm_term=0_97d1b918c2-97e6b2f9c5-85029543 [in German].

³⁶ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, see e.g. p. 30 and 510 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

³⁷ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 557 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

the National Action Plan do not entirely refer to a social understanding of disability represented in the UN CRPD.³⁸

In addition to this critical evaluation, and although Austria has a generally high standard of healthcare provisions, the Austrian Disability Council argues that weak points and deficits exist with regard to persons with disabilities. In this context, it mentions still existing multiple forms of barriers,³⁹ like denial of necessary and timely medical support, and also the fact that a number of benefits are not compulsory benefits which can be claimed (*Pflichtleistungen im Anspruchsweg*) but voluntary benefits which often are not provided.⁴⁰

In CSR 1 on p. 7 in the 2020 CSR for Austria, it is argued that Austria should improve 'the resilience of the health system by strengthening public health and primary care.' It is important that Austria will take action in 2020 and 2021 to improve access to healthcare for persons with disabilities which were not addressed and/or provided (see above) explicitly during the last years and also are not addressed now during the COVID-19 pandemic.

Regarding healthcare (see 2020 NRP for Austria, p. 14), the Austrian country report for the evaluation of the EDS for Austria⁴¹ points to the challenges regarding the rehabilitation allowance in the context of the so-called invalidity pension new. Invalidity pension new is only for permanent invalidity, not for persons with temporary invalidity. Persons eligible for the invalidity pension new need a certain minimum insurance period in Austria which depends on the age of the person and the denied access to the rehabilitation allowance for persons who are perceived as 'unfit to work'. No legal entitlement exists for receiving medical and vocational rehabilitation allowance at the same time.

Accessible housing

Relevant for the above-mentioned key point no. 1 (lack of de-institutionalisation), accessible housing is an important aspect of being able to live a de-institutionalised life. In 2020, the Tyrolian Monitoring Body for the Implementation of the UN CRPD published a comprehensive opinion on the necessity of accessible housing for

³⁸ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 565 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

³⁹ In 2019, the Viennese Monitoring Body for the Rights of Persons with Disabilities conducted a study on the accessibility of some Viennese hospitals. In October 2019, a public meeting took place with regard to this issue and currently, the Viennese Monitoring Body for the Rights of Persons with Disabilities is drafting a statement on the question of the accessibility of hospitals in Vienna.

⁴⁰ Österreichischer Behindertenrat (2019). *Positionspapier 2019/10. Forderungen*. Wien. <https://www.behindertenrat.at/recht-und-soziales/positionspapiere/> [in German].

⁴¹ Evaluation report of the EDS not yet signed off by the European Commission, but permission to use the country report.

older/elderly persons as well as for persons with disabilities.⁴² In 2019 and 2020, the Austrian Disability Council (*Österreichischer Behindertenrat*) published several statements on amendments of building regulations which fall within the scope of duties of the *Länder*.⁴³ These statements still show that, accessibility is perceived as an unnecessary cost factor⁴⁴ and also, that the scope (what needs to be accessible) of accessibility is not considered. Hence, it is important to include accessible housing into the European Semester to highlight the fact that accessible housing is necessary to live an independent life within the community.

Conclusion

Generally speaking with regard to policy developments in the field of social policies - and similar to what has already highlighted in chapter 2.1 and 2.2 with regard to the CR and the CSR for Austria - the main problem with the NRP for Austria and for the development of social policies is that persons with disabilities are not addressed as a specific 'target group' for policymaking and that persons with disabilities are subsumed under terms such as 'vulnerable groups' or 'persons at risk of poverty and social exclusion'. Hence, policymaking does not refer to persons with disabilities and their living situation, and therefore, specific support needs are not discussed.

⁴² *Tiroler Monitoring-Ausschuss zur Förderung, zum Schutz und zur Überwachung der Durchführung des Übereinkommens über die Rechte von Menschen mit Behinderungen* (2020). Wohnen in Tirol, Teil 2 [in German].

⁴³ Österreichischer Behindertenrat (2019). *Stellungnahme zum Gesetz, mit dem die Tiroler Bauordnung 2018 geändert wird* [in German]; Österreichischer Behindertenrat (2019). *Stellungnahme zur Steiermärkischen Bautechnikverordnung 2019* [in German]; Österreichischer Behindertenrat (2019). *Stellungnahme zur Bauordnungsnovelle 2020* (Wien) [in German].

⁴⁴ Österreichischer Behindertenrat (2020). *Stellungnahme zum Maßnahmengesetz Kostenreduzierte Wohnbauten* [in German].

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 NAP evaluation points out the following main issues regarding education:

- The NAP weakly reflects and includes the right to education as enshrined in Article 24 UN CRPD.
- According to the assessment of experts there has been rather a backlash than an advance in inclusive education in Austria.
- Main problems are insufficient concepts and non-effective plans for implementing inclusive education, the lack of a federal implementation strategy, a lack of coordination among the *Länder* and no incentives for schools that pursue inclusive strategies.
- The NAP chapter on education is not enough oriented towards Article 24 UN CRPD.⁴⁵

5.1 Summary of the educational situation of persons with disabilities

The EU-SILC estimates concerning educational attainment should be treated with some caution due to variable confidence levels, but they consistently indicate disability quality gaps. Table 16 indicates early school leaving rates disaggregated by disability status. 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 (age 30-34) are

⁴⁵ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, pp. 26f [in German].
https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

less likely to complete tertiary education than their peers (and this is reinforced in the wider sample for age 30-39).

EU-SILC data indicates a higher early school leaving rate of disabled young people aged 18–24 not only compared to non-disabled young people in Austria, but also compared to EU27 average. This changes for the age-group of 18-29, for which the EU27 average is higher than for Austria. Completion of tertiary or equivalent education is distinctly lower for persons with disabilities compared to non-disabled persons of both age-groups in Austria, but distinctly higher compared to EU 27 average. However, it is relevant that this data does not include persons who live in congregative households such as residential facilities for disabled or senior citizens and other groups of persons with disabilities excluded from EU-SILC data collection. The data definition of tertiary educational qualification may also be relevant to the interpretation.

Only very superficial national data is available on the education situation of children, young persons and adults with disabilities (see chapter 7.3.1) and this makes an in-depth analysis on the educational situation of persons with disabilities impossible. However, EU-SILC data indicates a need for distinct measures to improve the education situation of young persons with disabilities in Austria. Furthermore, EU-SILC data indicates to question the effectiveness of ESF co-funded measures for improving the educational and labour market situation of young persons with disabilities in Austria.

5.2 Analysis of education policies relevant to the Semester

As a result of a reorganisation of the Federal Ministry for Education, Science and Research the former (small) unit for special needs and inclusive education was merged into a new, larger department on Diversity and Inclusive Education. This department deals with issues regarding migration, language, gender, disability / impairment as well as gifted learners.⁴⁶ A distinct focus on learners with disabilities is no longer reflected in the business arrangement of the ministry. It must be doubted that this new organisational structure will contribute to a better inclusion of children with disabilities into the regular school system. Merging the responsibility for children with disabilities generally into a diversity department ignores the strong and well-established structure of special schools in Austria where many young people with disabilities continue schooling after compulsory education. At the same time, they often lack the opportunity to attend secondary level II schools - general and vocational high schools - after finishing compulsory education. General high schools are not even legally required to put 'inclusive education' into practice. Without profound structural and legal changes in the Austrian educational system, inclusive education as defined in Article 24 UN CRPD will not be possible in Austria.

The Austrian Court of Audit controlled the implementation of model regions for inclusive education in Tyrol and Carinthia as well as the activities of the Federal Ministry for Education regarding inclusive education. The report confirmed much of what had been known before: huge differences exist among the regions regarding the allocation of special educational needs to individual children; significantly more boys

⁴⁶ BMbWF (2020). *Geschäfts- und Personaleinteilung*, 32, <https://www.bmbwf.gv.at/Ministerium/GuP.html>.

(63 %) than girls (37 %) are being labelled as having special educational needs; girls are being more often included into regular schools compared to boys, but significantly more children with non-German mother language attend special schools. The integration-quote varies strongly among different provinces: In the schoolyear 2015/16 it was 89 % in Carinthia and 52 % in Tyrol. In Carinthia, there were 4 special schools compared to 25 special schools in Tyrol. Mostly new, however, was a fiscal analysis that showed that a more inclusive educational system like in Carinthia is financially more economic than a two-track system with integration as well as segregating schools like in Tyrol. Moreover, the Court of Audit heavily criticised the Federal Ministry for Education, pointing out that a comprehensive strategy for inclusive education for the education system on all levels is missing in Austria.⁴⁷

As was already pointed out in chapter 3.2, digital skills are a focus of qualification and training for the future. The study on digitalisation and the inclusion of persons with disabilities into the labour market points out the following issues regarding the general education for persons with disabilities:

- Ensure digital training and re-skilling for persons with disabilities, regardless of labour market status or location;⁴⁸
- Promote digital training and inclusion in early education.⁴⁹

⁴⁷ Rechnungshof (2019). *Inklusiver Unterricht: Was leistet Österreichs Schulsystem?*, p. 10. https://www.rechnungshof.gv.at/rh/home/home/Inklusiver_Unterricht.pdf.

⁴⁸ BMASGK (2019), pp. 64f.

⁴⁹ BMASGK (2019), p. 65.

6 Investment priorities in relation to disability

6.1 Updates on use of existing EU funds (to 2020)

It is extremely challenging to find meaningful and comprehensive information on projects co-funded by ESIF and to assess their consideration and inclusion of persons with disabilities. This applies to projects with a focus on persons with disabilities as well as to other projects and their consideration of persons with disabilities (see the example of the programme for adult education in 3.2). Research for ANED over the years helped to shed some light on this issue. It became obvious that EAFRD funds are used to build new and renovate existing institutions in several regions in Austria.

In July 2020, Independent Living Austria together with the European Network for Independent Living submitted an official complaint to the European Commission which relates to the segregation and social exclusion of women and men with disabilities in institutions co-financed by EAFRD.⁵⁰ Six new living facilities and 2 new sheltered workshops were built with an estimated amount of EUR 7.6 million of EU funds. It is argued that investing into segregating facilities violates rights which are enshrined in the EU Charter on Fundamental Rights, the Council Directive 2000/78/EC, the European Pillar of Social Rights and the UN CRPD. In Tyrol, EAFRD funds are used to renovate and improve existing institutions for persons with disabilities, this includes living facilities, sheltered workshops and one large special school with boarding facilities for children with disabilities. The ongoing institutionalisation of children with disabilities in Austria caused deep concern of the UN Committee on the Rights of the Child in January 2020.

In its concluding observations the committee urges Austria to develop ‘a coherent strategy on de-institutionalization and prevention of separation of children with disabilities from their families with a clear time frame and a mechanism for its effective implementation and monitoring.’⁵¹ The development and implementation of a nationwide programme for deinstitutionalisation is also the first recommendation in the evaluation of the NAP Disability regarding independent living of persons with disabilities.⁵²

An issue not considered in the evaluation of the ESF programme (see 2.1) is that 2 % of young persons (with disabilities) who participate in Youth Coaching are directly recommended to measures not aiming at inclusive employment like e.g. sheltered workshops or other day-structures. This was repeatedly pointed out in previous reports

⁵⁰ See complaint submitted to the European Commission by Independent Living Austria and the European Network for Independent Living: https://enil.eu/wp-content/uploads/2020/07/Complaint_by_Independent_Living_Austria_ENIL.pdf.

⁵¹ UN Committee on the Rights of the Child (2020). *Concluding observations on the combined fifth and sixth periodic reports of Austria*, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsvkrH ee8tArE5cEO48WRQ1gVMWjPAohzJdodkn0%2bhzkT3o0ypXMuzHcJ2JrCvBAfWT2gxG4CnKP3OY17GQNgUm32%2bntGnoKbl96JTbiZQTW>.

⁵² See BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*. Wien, p. 30 [in German] https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

for the European Semester.⁵³ Recent data, too, confirms this practice.⁵⁴ However, recommending young persons with disabilities to sheltered workshops with no realistic chance for future access to the labour market is in contradiction to the aim of qualifying young persons with more severe impairments and supporting them towards inclusion into the labour market as foreseen in in the EU Charter on Fundamental Rights, the Council Directive 2000/78/EC, the European Pillar of Social Rights and the UN CRPD.

6.2 Priorities for future investment (after 2020)

The investment guidance on just transition fund 2021 – 2027 for Austria mentions two aspects which might be of particular importance for the inclusion of persons with disabilities:

- investments in research and innovation activities and fostering the transfer of advanced technologies;
- upskilling and reskilling of workers.

As was explained in 3.2 and 5.2 more attention should be paid to improve digital skills among persons with disabilities and to better provide them with assistive and new technology. This should be connected to more research and development in this field. Furthermore, more efforts must be undertaken to include persons with all kind of disabilities into programmes for upskilling and reskilling workers or young persons.

The evaluation of the ESF programme shows the shortcomings of implementing Disability Mainstreaming and accessibility in Austria. Thus, persons with disabilities should be defined as a distinct target group for future investments.

Regarding the new framework for EU investment priorities there is currently no information available regarding the partnership programme in Austria. The 2014 – 2020 programme was prolonged for another year and money from this programme can still be spent for another three years.⁵⁵

CSR1 mentions the need to ‘Improve resilience, accessibility and effectiveness of the health system’, where the unmet needs of disabled people are strongly evidenced. Their needs must be factored in these investments. CRS2 refers to ‘enhancing flexible and short-time working arrangements’ and targeting social benefits to those in need, as well as digital transformation – it is important to acknowledge the specific need to accommodate disabled people’s needs in these respects. CSR3 includes reference to investment in sustainable transport, which much must stress the need to build in accessibility for disabled persons in accordance with UN CRPD Article 9 and EU structural fund and public procurement rules.

⁵³ See e.g. *European Semester 2018/2019 country fiche on disability Austria*, pp. 26f, <https://www.disability-europe.net/downloads/931-country-report-at-task-1-3-eu2020-2018-2019>.

⁵⁴ Bundeskost (2018). *Jahresbericht NEBA 2018*, p. 60, <https://www.bundeskost.at/wp-content/uploads/2019/05/NEBA-Jahresbericht-2018.pdf>.

⁵⁵ Personal communication with representative of the Austrian Disability Council on 26 August 2020.

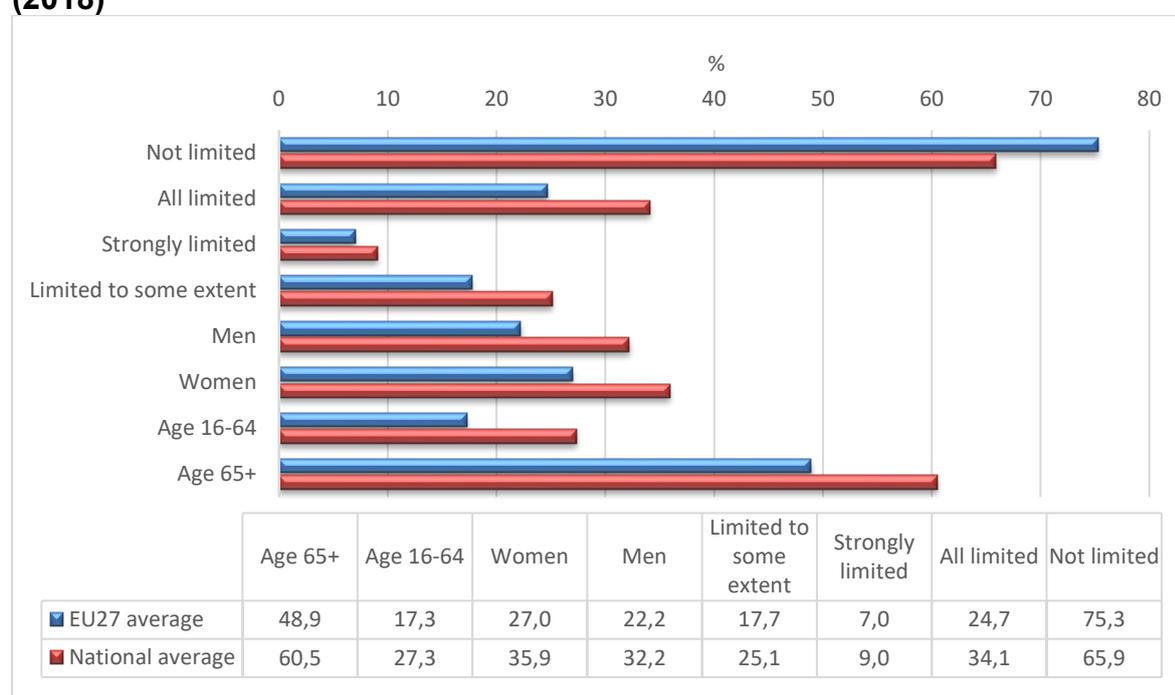
7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database⁵⁶ and statistical reports.⁵⁷

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 6 months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.⁵⁸

Table 1: Self-reported ‘activity limitations’ as a proxy for impairment/disability (2018)



Source: EU-SILC 2018 Release 2020 version 1

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

⁵⁶ Eurostat health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

⁵⁷ Eurostat (2019) *Disability Statistics* https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics.

⁵⁸ The 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)).

not report 'activity limitations'.⁵⁹ National estimates for Austria are compared with EU27 mean averages for the most recent year.⁶⁰

7.1 EU data relevant to disability and the labour market (2018)

Table 2: Employment rates, by disability and gender (aged 20-64)

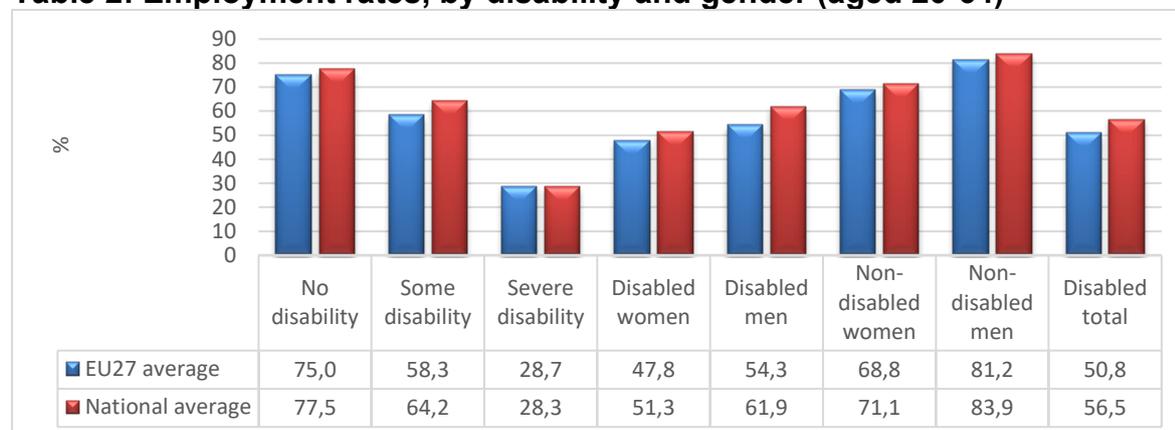
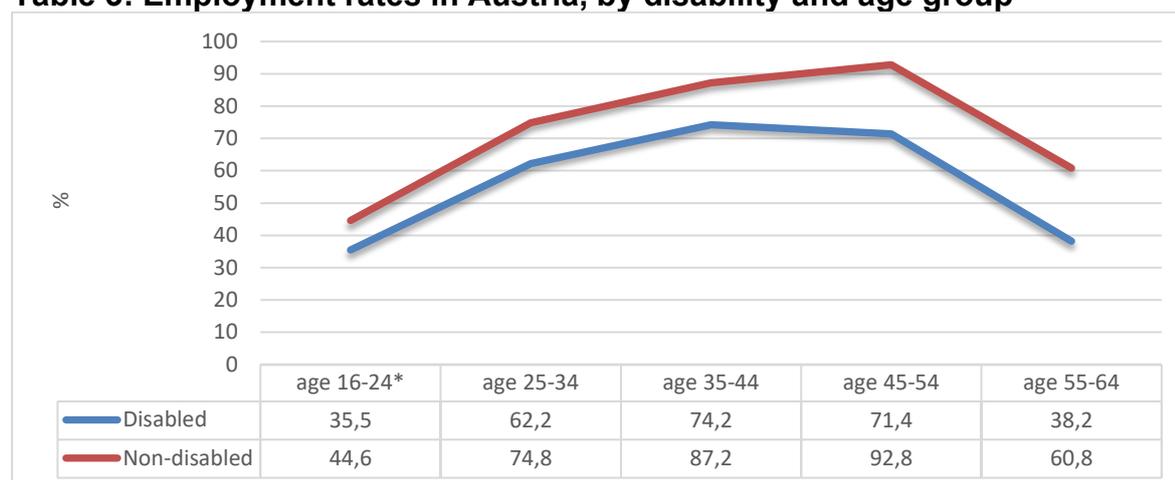
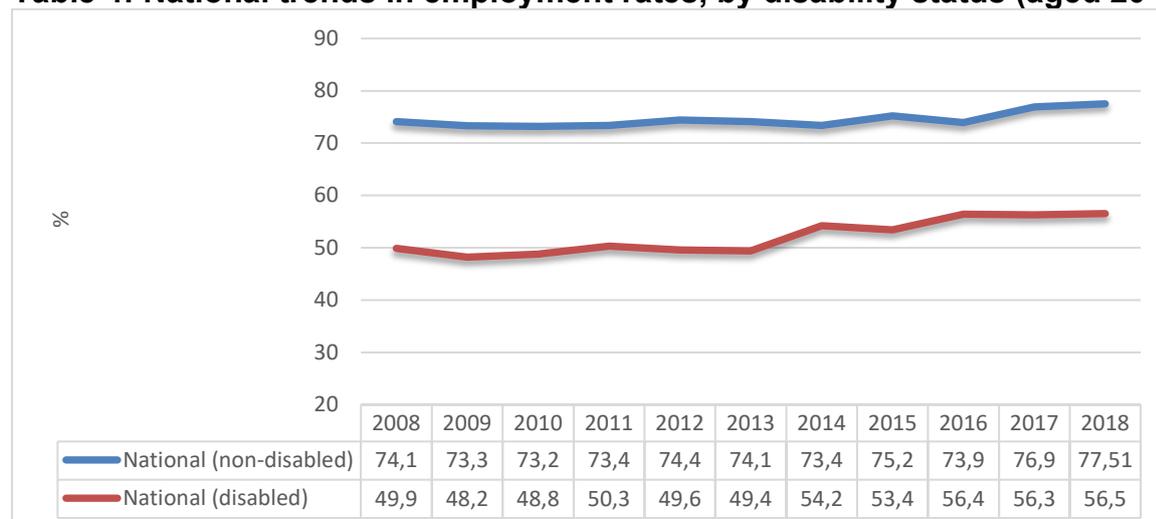


Table 3: Employment rates in Austria, by disability and age group



⁵⁹ This methodology was developed in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>.

⁶⁰ The exit of the United Kingdom from the EU changes the EU average. Averages were also affected in 2015 by a discontinuity in the German disability data due to a definitional change.

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


Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.1 Unemployment

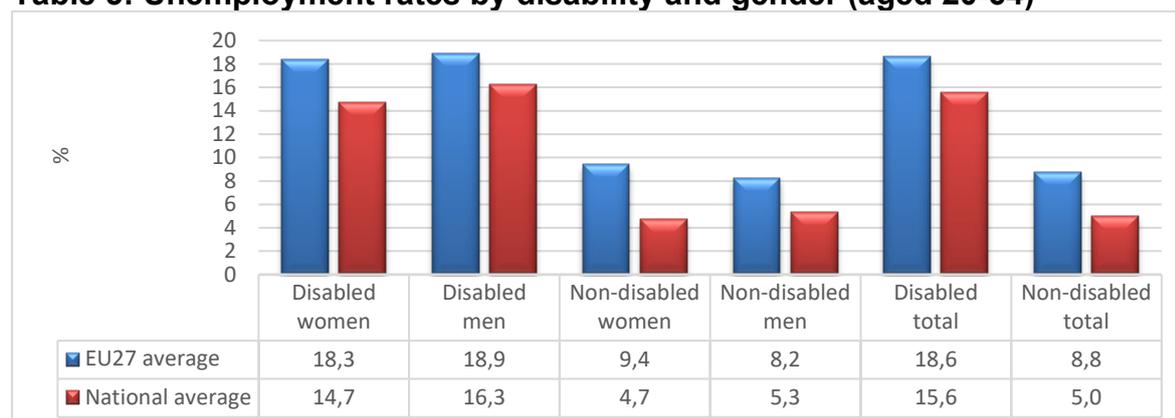
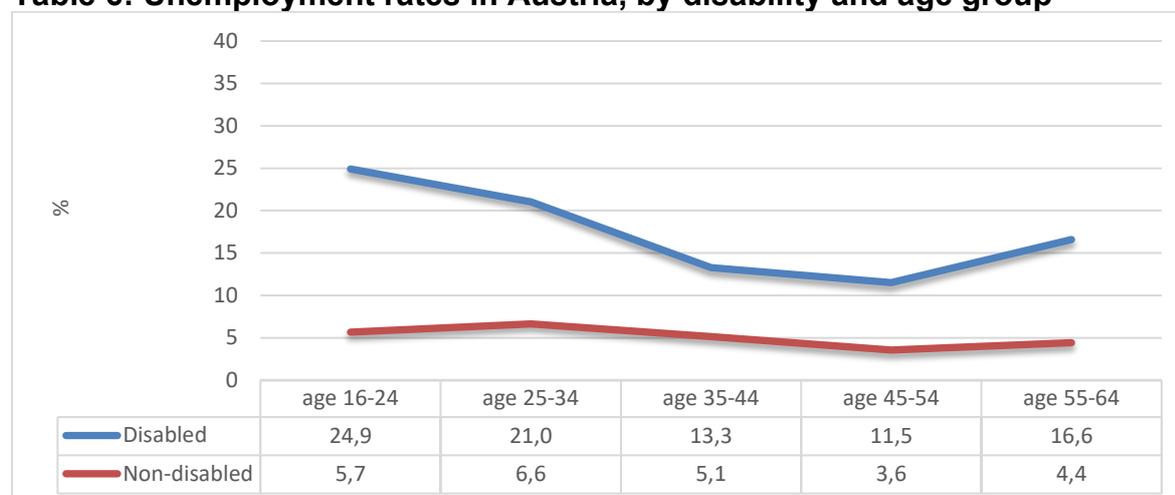
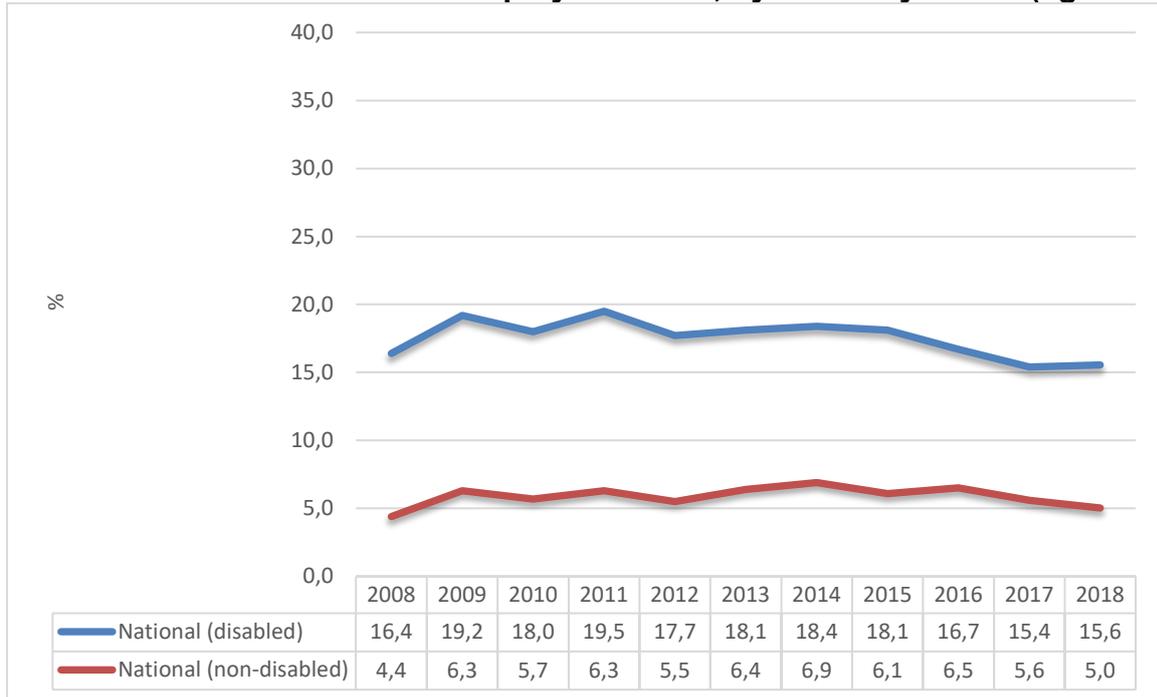
Table 5: Unemployment rates by disability and gender (aged 20-64)

Table 6: Unemployment rates in Austria, by disability and age group


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


Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.2 Economic activity

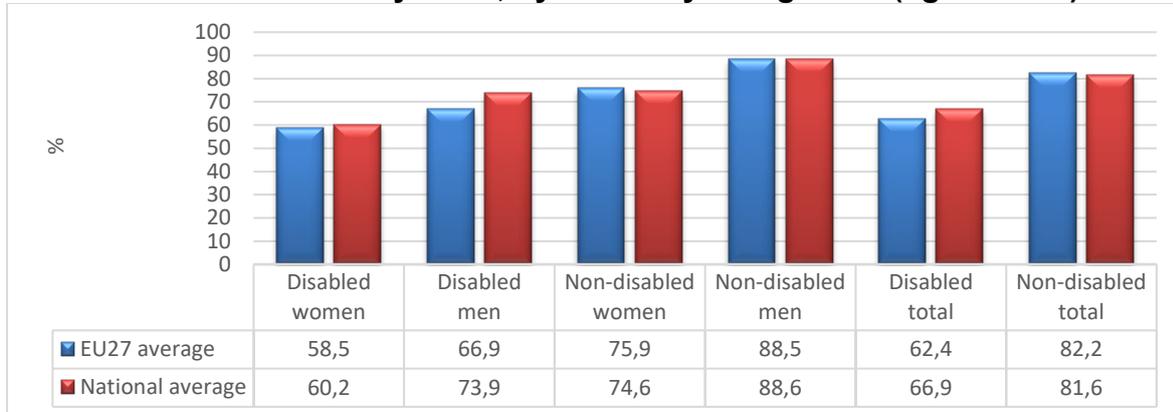
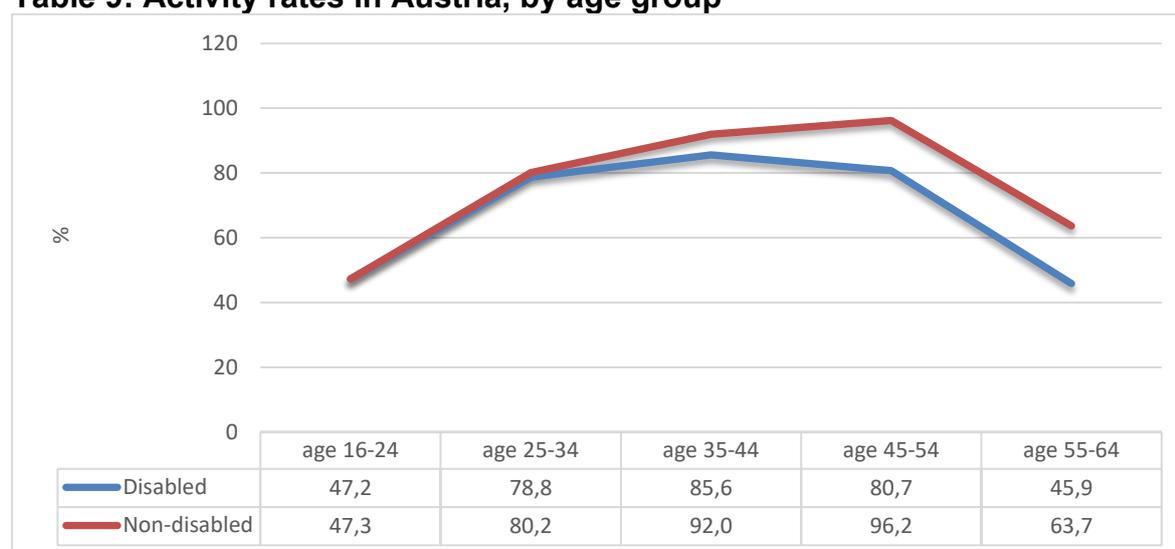
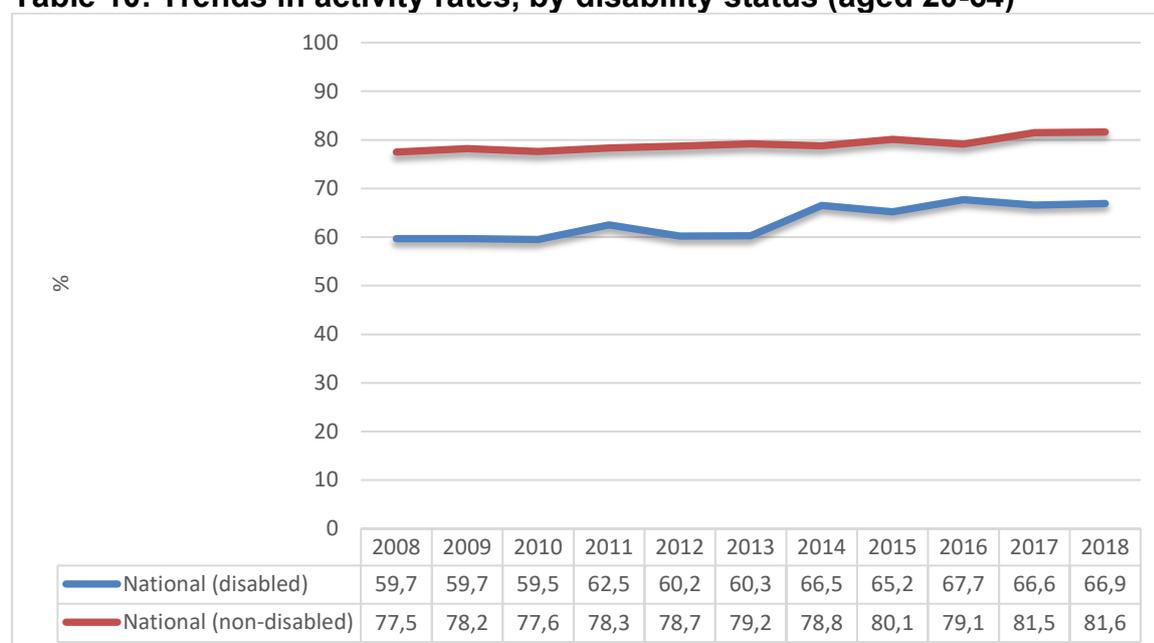
Table 8: Economic activity rates, by disability and gender (aged 20-64)


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

Source: EU-SILC 2018 Release 2020 version 1 (and preceding UDBs)

7.1.3 Alternative sources of labour market data in Austria

Disability data is not included in the core European Labour Force Survey but labour market indicators for Austria were disaggregated from ad hoc modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.⁶¹

The national Labour Force Survey in Austria does not identify persons with disabilities in its collection of data. Statistics on the labour market and people with disabilities are provided on a special website 'work and disability', data is updated on a regular basis.

⁶¹ Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

According to official data, the labour market situation improved slightly for persons with disabilities in 2019: The unemployment rate for the so called advantaged persons with disabilities (narrow definition of disability) who are covered by the Federal Disability Employment Act was 7.6 % (8 % for men, 7.1 % for women), which indicates a decrease of -0,5 % compared to 2018. However, in June 2020, as a direct effect of the COVID-19 crisis, the unemployment rate for this target group had increased to 8.3 % (8.7 % men, 7.9 % women), which indicates an increase of 1.1 % compared to 2019.⁶²

7.2 EU data relevant to disability, social policies and healthcare (2018)

Table 11: People at risk of poverty or social exclusion, by disability and risk (aged 16-59)

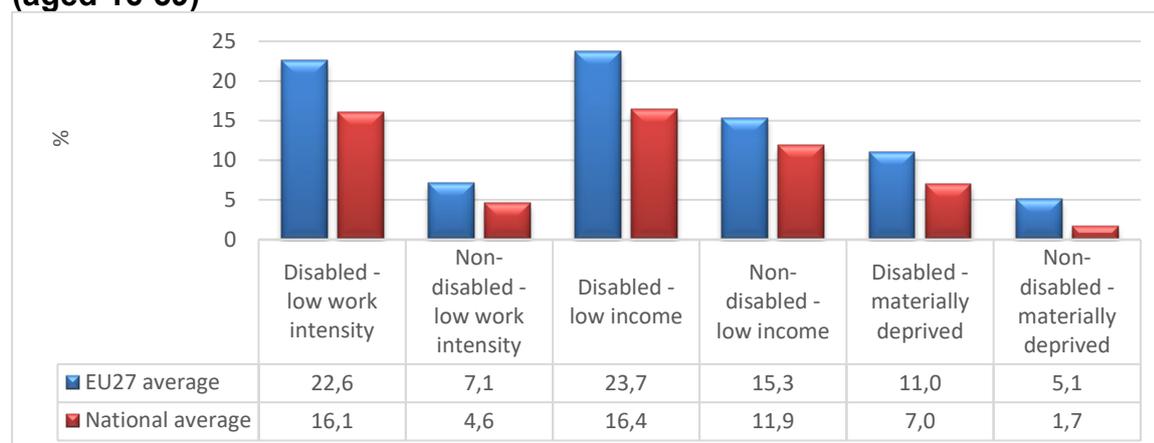
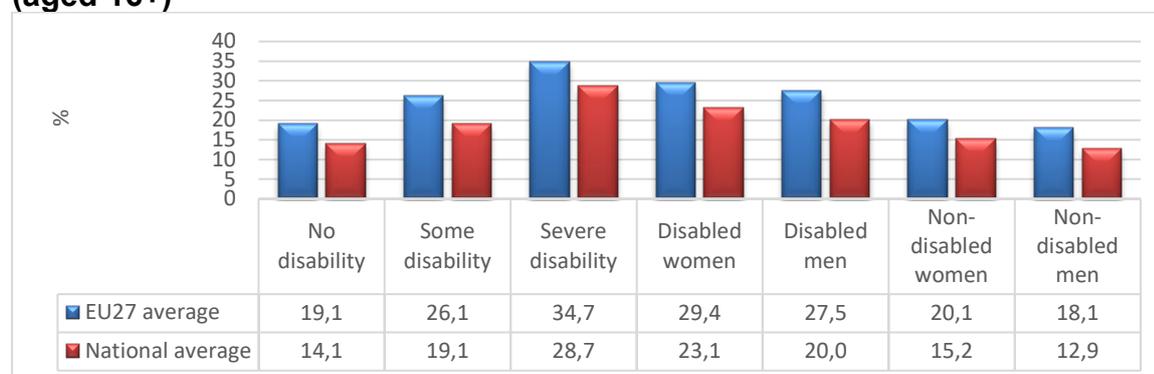
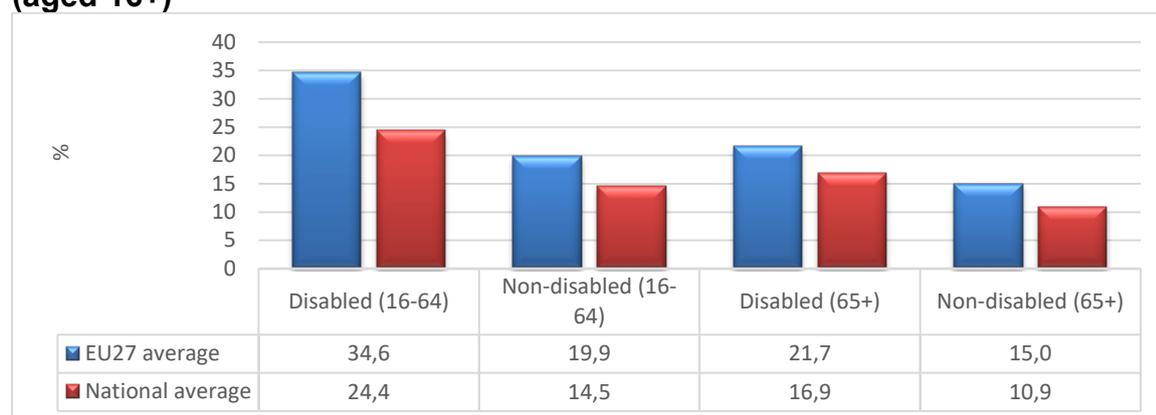


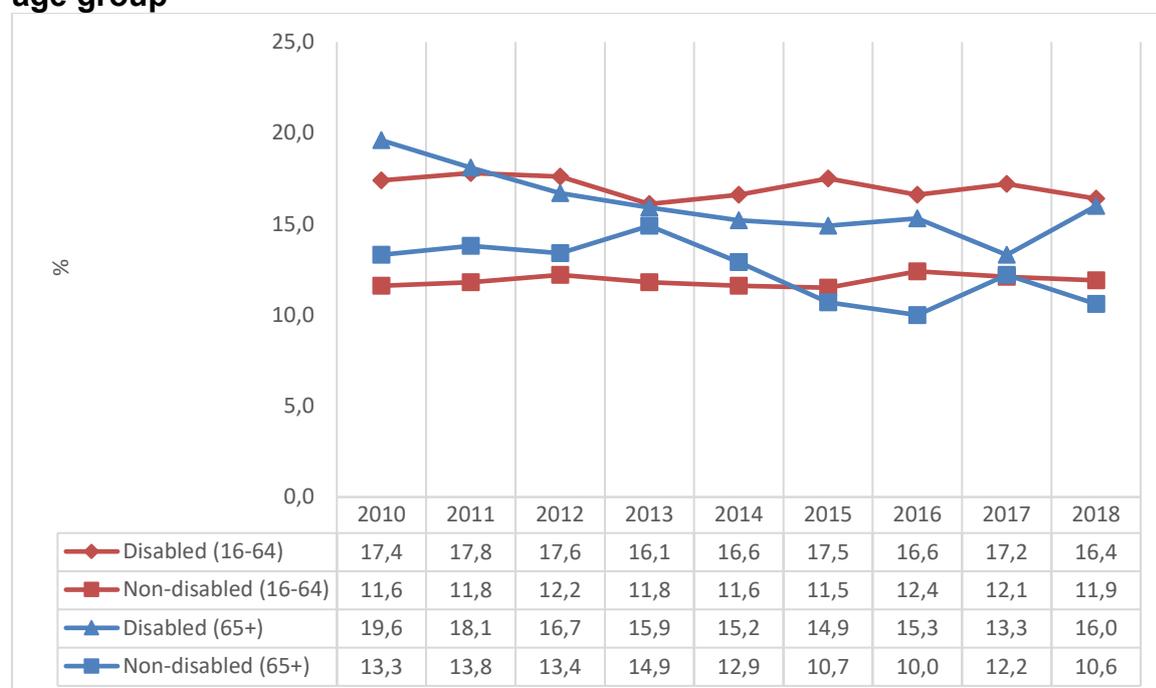
Table 12: People at risk of poverty or social exclusion, by disability and gender (aged 16+)



⁶² All data retrieved from the official website of the Federal Ministry on Work, Family and Youth: <https://www.dnet.at/elis/Arbeitsmarkt.aspx>.

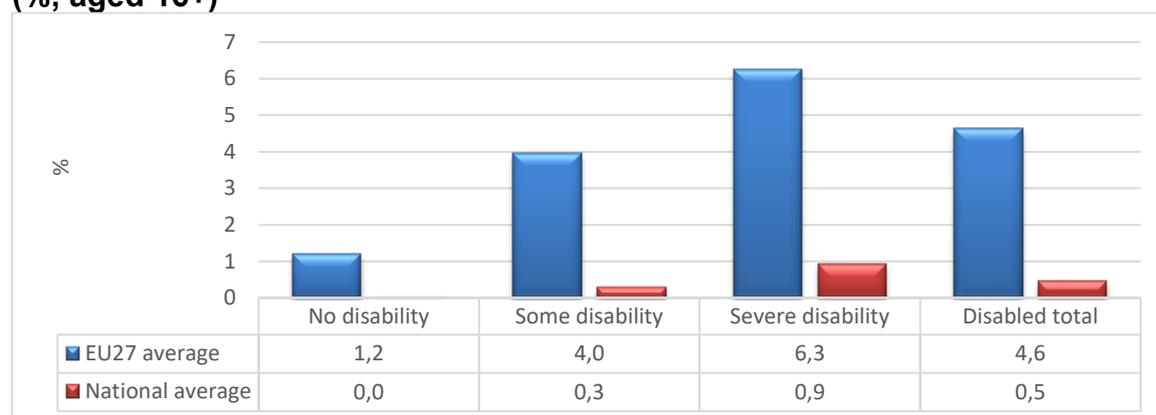
Table 13: Overall risk of household poverty or exclusion by disability and age (aged 16+)

Source: EU-SILC 2018 Release 2020 version 1 (and previous UDB)

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 2018 are consistent with the 3-year mean values

7.2.1 Alternative sources of poverty or health care data in Austria

In the evaluation of the National Action Plan Disability 2012-2020 it is argued⁶³ that since 2010 the Austrian Disability Council (*Österreichischer Behindertenrat*) highlights the fact that the EU-SILC data are based upon incomplete samples for data collection. Nevertheless, the data are still used as a basis for information on the situation of persons with disabilities in Austria (e.g. used by the *Statistik Austria* for their reports on poverty and living conditions between 2013 and 2019, e.g. focusing on households and leaving aside persons with disabilities in other living arrangements).

The evaluation of the National Action Plan Disability 2012-2020 critically reviews the measures formulated in the Action Plan, highlighting the fact that neither comprehensive measures exist to ameliorate the situation for persons with disabilities at risk of poverty nor that sufficient indicators and data exist to evaluate policy change.⁶⁴ This is also mentioned in this evaluation with regard to health care provisions for persons with disabilities - missing data and indicators.

⁶³ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*, Wien, p. 583 [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

⁶⁴ BMSGPK (2020), Endbericht. *Evaluierung des Nationalen Aktionsplanes Behinderung 2012-2020, Strategie der österreichischen Bundesregierung zur Umsetzung der UN-Behindertenrechtskonvention*, Wien, p. 588, [in German], https://www.sozialministerium.at/dam/jcr:ec106d2c-7346-4360-8756-975de92d9576/Evaluierung_des_NAP_2012_2020.pdf.

7.3 EU data relevant to disability and education

Table 16: Early school leaving rates, by disability status (aged 18-24 and 18-29)⁶⁵

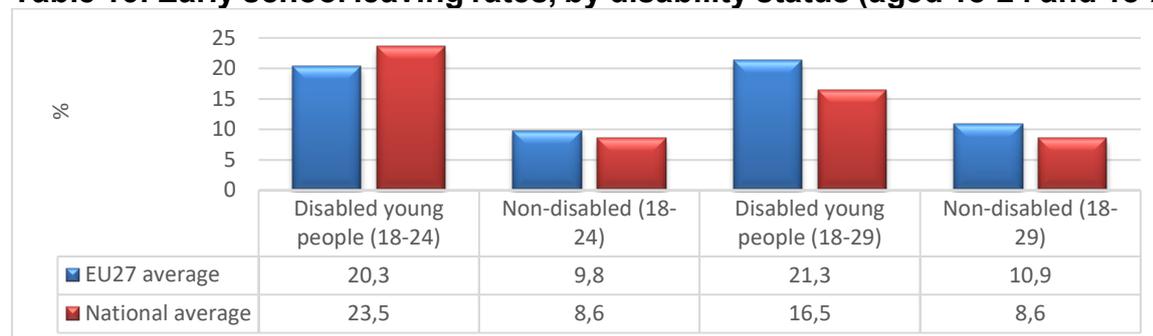
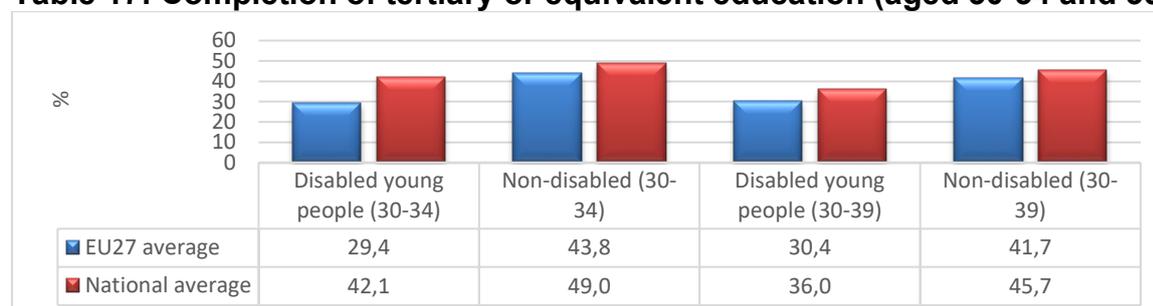


Table 17: Completion of tertiary or equivalent education (aged 30-34 and 30-39)



Source: EU-SILC 2018 Release 2020 version 1 (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

Disability data is not included in the core European Labour Force Survey, but education and training indicators were disaggregated from ad hoc modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.⁶⁶ Similar caution is needed with this data.

Some administrative data is also provided in the European Agency's Statistics on Inclusive Education (EASIE), concerning the population of enrolled students identified with special educational needs in Austria.⁶⁷

Specific and meaningful data on the education of persons with disabilities is scarcely available from national sources in Austria which makes an evidence-based analysis impossible. This also reflects a tendency to ignore children and adults with disabilities as a distinct target group in educational policy which is in stark contrast to other specific groups, like e.g. children and adults whose mother language is not German or who are refugees. Although the NRP mentions the high risk of unemployment for

⁶⁵ 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.

⁶⁶ Eurostat Health Database, <https://ec.europa.eu/eurostat/web/health/data/database>.

⁶⁷ European Agency for Special Needs and Inclusive Education, *Statistics on Inclusive Education*, <https://www.european-agency.org/data/data-tables-background-information>.

low qualified persons with health restriction, it does not mention this group or persons with disabilities as a particular target in the NRP.⁶⁸

In the schoolyear 2018/2019 5 % of all students were certified as having special educational needs (no sex disaggregated data available). 36.9 % were educated in special schools.⁶⁹ No more data on students with disabilities is available on the official website for education data of Statistics Austria. Data on early school leavers with disabilities is not available, either.

⁶⁸ See Federal Chancellery Republic of Austria (2020), pp. 22ff.

⁶⁹ Statistik Austria (2019). *Schülerinnen und Schüler mit sonderpädagogischem Förderbedarf 2018/19*,
https://www.statistik.at/wcm/idc/idcplg?IdcService=GET_PDF_FILE&RevisionSelectionMethod=LatestReleased&dDocName=029658.

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