




**ACCESS TO FOOD:
MAPPING AND
ASSESSING EXISTING
MEASURES IN AUSTRIA**

MODULE 2



ACCESS TO FOOD: MAPPING AND ASSESSING EXISTING MEASURES

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INTRODUCTION



Food insecurity is again on the rise worldwide. According to estimates from Eurostat, a 21,9% of the EU population was at risk of poverty or exclusion in 2020¹. With food prices currently on the rise, the access to adequate, sufficient and healthy food is much more difficult for those in a financial vulnerable situation.

While states are responsible for ensuring a rights-based approach to adequate food and nutrition, civil society organizations and other social movements have taken on a leading role in providing food for people experiencing poverty or with very low income. Such organizations offer food for free or at extremely reduced prices. Their stock primarily consists of donations from supermarkets and other food retailers with excessive goods that have not been sold before their use-by dates. Although this approach cuts down on food waste and directly provides food to people with low income, and these initiatives offer an important short-term measure it does not address the structural causes of food insecurity and poverty.

Measures adopted by states should be justice-oriented, and therefore the right to food and nutrition should not be interpreted in a narrow sense that equates it with a package of nutrients or relies on charity from the state². Rather, this right entails the progressive development of conditions that allow everyone to feed themselves with dignity. Access to food should include the idea that persons are able to meet their dietary needs with nutritious food that is safe from harmful substances, that it is culturally appropriate, and in line with food preferences³. To fulfil the right to an adequate food, its availability and accessibility are also essential.

In order to develop adequate responses, states shall employ their full resources and work through their executive, legislative, and judicial branches to offer a comprehensive response given that the right to food is connected to other human rights. To illustrate this point, in order to buy healthy food one needs adequate income, which one obtains through a job, for which one needs access to education or training; or income can be obtained from adequate social benefits. Likewise, parents need access to affordable child-care, and everyone needs access to affordable housing and other affordable fixed expenses (e.g. energy and other utilities). If housing is very expensive, the quantity and quality of food people can obtain is compromised.

This brief explanation demonstrates how fulfillment of the right to food is intertwined with other rights that also must be fulfilled and which involve a range of state obligations. Human rights principles should inform and guide states' responses, including equality and non-discrimination, participation and inclusion, accountability, transparency, human dignity, empowerment and rule of law⁴, while also acknowledging that all human rights are universal, indivisible, interrelated, and interdependent⁵. Responses must also entail developing legislative measures, public policies and strategies, and the creation of institutions⁶. An essential element is that the right to food and nutrition is enshrined in national law so that it can be enforced in court in case of violation.



1 Eurostat, People at risk of poverty or social exclusion in the EU 2020. Click [here](#). Further: "a person is food insecure when they lack regular access to enough safe and nutritious food for normal growth and development and an active and healthy life." See [FAO](#).

2 FIAN International, Screen state action against hunger!, 2007, p. 13, p. 13

3 FAO, The Right to Food. Click [here](#). See also: FAO, Voluntary Guidelines, 2014,p.5, para.15. Click [here](#).

4 FAO, Voluntary Guidelines, 2004, p.2.Click [here](#).

5 UN Population Fund, Human Rights Principles, 2005. Click [here](#).

6 Voluntary Guidelines, p. 9

Objectives and structure

As part of a broader project on the right to food and nutrition in Europe, this module examines the Austrian context as an example to how to identify the existing national responses that support the implementation of the right to food and nutrition. These include existing state actions and private-sector measures. These responses are mapped out and assessed based on human rights principles, namely the PANTHER principles⁷. The assessment examines whether the state is complying with its responsibilities, and serves to enable decision makers to recognize non-compliance in existing measures. At the same time, it offers guidance for developing solutions. This mapping procedure and the assessment tool can be applied at the local, regional, and national levels in other European countries. In this module we assess two of the mapped measures through this principles. A more detailed analysis can be conducted with additional guiding questions provided in Annexes 1 and 2. These questions also serve to reveal the connections between the right to food and nutrition and other social rights and identify additional actors that should be involved in decision-making processes.

For this analysis, FIAN Austria conducted desk research of existing regulations on social benefits, and reports from civil society and the government; these resources were complemented by interviews and a group discussion. The interviews were conducted with persons experiencing poverty or living with low incomes, as well as workers from soup kitchens and social supermarkets, a member of the Vienna Food Policy Council, and a worker for the City of Vienna. These exchanges took place between March and November of 2020. In total, 17 men and women between 20 to 60 years of age participated by sharing their experiences, which are included in this module as qualitative findings. Their participation was essential to comprehending what works well and the deficiencies of the existing system.

7 PANTHER stands for: Participation, Accountability, Non-discrimination, Transparency, Human dignity, Empowerment and Rule of law.

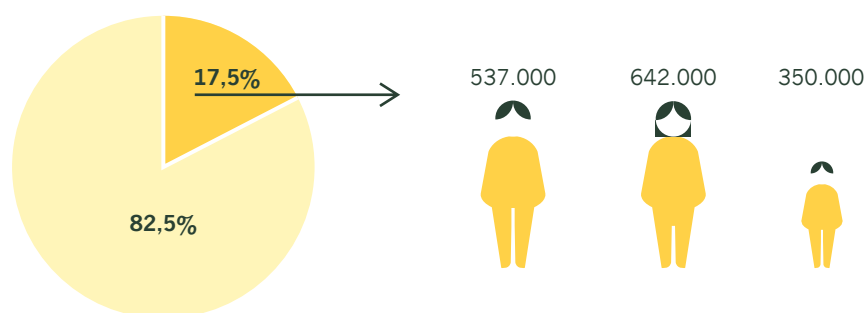
PART 2

CONTEXTUALIZING THE AUSTRIAN BACKGROUND



Income scheme and poverty

In 2020, 17.5% of the Austrian population was at risk of exclusion or poverty⁸. Out of the 1,529,000 persons officially affected by poverty, 350,000 are children under 18 years of age; 642,000 are women and 537,000 are men⁹. The groups most acutely suffering from poverty are: children, especially those in single-parent households, but those in households with at least three children as well; persons who have been unemployed for a long period of time; people who do not have Austrian citizenship; persons with a secondary education or less; elderly women living alone; and especially, persons living with chronic disease¹⁰.



In 2020, 39.2% of those at risk of poverty and exclusion earned an hourly wage below what is considered a decent wage¹¹. The poverty threshold is calculated as 60% of the median income per person. A person at risk of poverty in 2020 lived with €15,933/year; that is €1,328/month for a one-person household. For households of more than one person, the **poverty threshold** is calculated as follows:

- €1,726/month for 1 adult + 1 child
- €1,992/month for 2 adults
- €2,789/month for 2 adults + 2 children

This method for calculating the poverty threshold is often criticized as it suggests that once a single person receives €1,328,01 per month, they will no longer be in poverty. For the present analysis, the data provided by the poverty threshold was used for general orientation, bearing in mind that this methodological approach has its weaknesses in terms of determining the real breadth of poverty.

⁸ Armutskonferenz. Click [here](#).

⁹ https://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales/gender-statistik/armutsgefaehrderung/index.html

¹⁰ Die Armutskonferenz, Aktuelle Armutszahlen 2021. Click [here](#). See also: Volkshilfe, Armut in Österreich. Click [here](#).

¹¹ ILO measures decent work, among others, by looking at whether the hourly wage exceeds at least 2/3 of the gross median wage in the country. Low hourly wages are below that. See: BMSGPK, Kennzahlen zu Lebensbedingungen 2020. Indikatoren für soziale Inklusion in Österreich. Click [here](#). p. 39

Additional data indicates that 10% of households have less than €15,735 per year (€1,300/month)¹², and that at least 19,912 persons were homeless and 11,441 were living in facilities for homeless persons¹³.

Rising fixed expenses

Housing and energy (e.g. electricity, heating) are some of the fixed expenses that especially affect low-income households given their steep increase of late. 37% of low-income households must allocate more than 40% of their financial resources to housing alone¹⁴. In urban centers, the price of housing is disproportionately high. If a family changes apartments, the cost can be extremely high as it can involve factors such as: paying double rent as renters dissolve previous housing contracts and enter a new one, real estate agent commissions to be paid by the tenant (between 1 and 2 months' rent + 20%), a security deposit (usually three months rent)¹⁵, as well as other additional fees. While housing programs do exist for persons with lower incomes, in many cases there have long waiting lists, only to be followed by even longer waiting periods to actually sign a lease. Thus many people are forced to look into private options, which are usually advertised by real estate agents and have temporary contracts. Regarding energy costs, data from December 2021 shows that the "heating oil prices rose by 64.5%, electricity by 10.2% and gas by 20.4%"¹⁶.

Interviewees confirmed that they were forced to cut back their food budget in order to be able to use heating and pay for other housing expenses¹⁷. Regarding food prices, the FAO Food Price Index shows a drastic rise in prices if we compare the prices of meat, dairy, grains, vegetable oils, and sugar with those from last year¹⁸. In Austria food prices rose overall by 4.3% in February 2022¹⁹.

In order to weather the rising prices involved in food production, the burden has been passed on to consumers. Persons with a low income are the first to be affected by such fluctuations. On the other hand farmers cannot lower their prices, as then they would not be able to cover the increased production costs. This situation opens up a variety of debates, among them: fair income for farmers that must not fall below their production costs, ensuring affordable adequate nutrition for all, and the preservation and promotion of a healthy and sustainable environment. States must take action and implement practices to provide sustainable and fair food systems for all.

12 https://www.statistik.at/web_de/statistiken/menschen_und_gesellschaft/soziales/haushalts-einkommen/index.html

13 BMSGPK (2020). Click [here](#). p. 30, data 2020.

14 FIAN Austria, Vorläufiger Parallelbericht, 2020, p. 14. Click [here](#). See also Arbeiterkammer (AK), Anstieg der Nettomieten liegt weit über der Inflation, 2020. Click [here](#).

15 AK Wien, Kaution. Click [here](#).

16 Der Standard, Energiepreisanstieg könnte bald auf Lebensmittel durchschlagen, 2021. December. Click [here](#).

17 See Part 4 to read different experiences.

18 FAO, World Food Situation. Click [here](#).

19 Salzburger Nachrichten, Lebensmittelpreise steigen rasant: "Die Versorgung ist nicht das Problem, aber der Preis.", March 2022. Click [here](#).

PART 3

MAPPING EXISTING MEASURES DESIGNED
TO IMPLEMENT THE RIGHT TO FOOD AND
NUTRITION IN AUSTRIA



This section uses a mapping exercise to identify the existing measures that support the access to food in Austria. This refers to legislation, policy, and other actions that exist and ensure dignified access to culturally appropriate and healthy food with a focus on persons experiencing poverty or at heightened risk for other reasons. The analysis differentiates between the responses of the state and by private actors. All the measures mentioned herein can be examined through the human rights principles (see subchapter 5).

3.1. Measures by the state

The right to food and nutrition is not enshrined in Austrian national legislation, and it is the only EU country that has not included basic social rights in its constitution. The existing national legal framework in Austria further impedes direct application of the International Covenant of Economic, Social, and Cultural Rights (ICESCR) despite having ratified it. In practical terms, this means that a violation of the right to food and nutrition cannot be asserted as an independent right in court²⁰.

According to the interpretation of Austrian authorities, the right to food and nutrition is already covered within the framework of social benefits, especially through social assistance (Sozialhilfe). In this section, we focus on mapping some of the main social benefits and other state responses, and on their defining characteristics, which are later assessed based on a set of human rights principles and additional guiding questions. Some of the main questions to address are:

1. Who has access to social benefits and other measures?
2. Are they adequate to ensure access to healthy nutrition?


As a general observation, it should be noted that the elements defining the social benefits described below pose a high barrier of entry due to their frequent changes, multiple eligibility criteria, and regional variations in regulations, which is a result of the Austrian division of competences at the federal state level.

Social Assistance (Sozialhilfe)

This benefit aims to cover living costs and housing for persons who cannot bear their living costs through earned income, savings, social security benefits or are financed through a relative. Recipients are registered with the health insurance. This program replaced the so-called “Mindestsicherung”, a previous social benefit which still exists in some regions. The regulations defining Sozialhilfe vary between regions, but it generally focuses more on the maximum benefit amount permitted rather than the minimum needed to live. Some of the principal eligibility criteria for individuals are as follows:

²⁰ Amendment of the Constitution in 1964 (article 50 B-VG).

1. Has their primary residency in Austria, and a specific residence status (see more under “Who is eligible?”),
2. Willing to work, if able, and
3. Have no other financial alternatives²¹. Financial alternatives would include unemployment benefits or earned income in their household, as well as savings up to €5,867, or certain possessions such as a car, which cannot be maintained except for in cases of disability or when necessary for transportation to work.

Who exactly is eligible for this benefit if they comply with all these requirements? Austrian citizens, persons granted asylum, and permanently settled foreigners with five years of residency and employment have access to this benefit. The system does not contemplate access to this social benefit²² for people granted a humanitarian residency permit or subsidiary protection in Austria, which is different from the status of refugee²³. A reform to end this discrimination towards persons with humanitarian residency permits was announced in April 2022, but it has yet to be implemented. Civil society organizations call for access to this benefit for persons with subsidiary protection, which is granted to people fleeing from civil war, for example²⁴. (For a discussion on the impacts of similar practices in the UK)  MODULE 3

The exact amounts received vary depending on the region but the maximum for a single-person household is €978, and for two people €1,369 (in 2022). This amount is below the poverty threshold²⁵. For children there are also specific amounts, not to be confused with a family benefit program named “Familienbeihilfe” (see below). Social benefits for children have been reduced with this new scheme and financial aid progressively decreases if more children live in a household:

In Lower Austria for example the first child receives €244.49/month. If two children live in a household, each receives €195.59. If there are three children, they each receive €146.69, and so on²⁶. Thus, a family with three children would receive €452 instead of €733 as a result of this new system.

In Vienna, in comparison, the Mindestsicherung program has not been fully replaced by Sozialhilfe. It provides each child a minimum of €264, regardless of the number of children in the household (in 2022)²⁷.

²¹ Bundesministerium Soziales, Gesundheit, Pflege und Konsumentenschutz (BMSGPK), Anspruchsvoraussetzungen. Click [here](#).

²² K, Sozialleistungen – Sozialstaat im Überblick, 1.1. Leistungen der Sozialhilfe. Click [here](#). See also: Sozialberatung Wien, Berechnung der Mindestsicherung. Click [here](#).

²³ BMSGPK, Mindestsicherung, Anspruchsvoraussetzungen. Click [here](#)

²⁴ Caritas Österreich (OTS), Caritas zu Sozialhilfe: Punktuelle Reparaturen ersetzen keine Gesamtreform., April 2022. Click [here](#). See also: UNHCR (OTS), UNHCR zu Änderung des Sozialhilfe-Grundsatzgesetzes: Auch subsidiär Schutzberechtigte miteinbeziehen, April 2022. Click [here](#).

²⁵ Österreich.gv, Allgemeines zur Sozialhilfe/Mindestsicherung. Click [here](#).

²⁶ AK Niederösterreich, Sozialhilfe. Click [here](#).

²⁷ Stadt Wien, Mindestsicherung. Click [here](#).

In Upper Austria, there is a monthly supplement for single caregivers, which again progressively decreases (€117 for the first child, €88 for the second, €58 for the third, and €29 for the fourth)²⁸. This is not the case in other regions.

Further regulations within this benefit establish that if a person receives a housing allowance, this amount is deducted from social assistance benefits²⁹. Also, any additional income must be very limited. For example, if persons with disabilities receive more than approximately €15/month, their benefits from this program are reduced, in comparison to up to about €107/month permitted by the past benefit program³⁰.

A recently published study showed that since the implementation of Sozialhilfe, the situation has deteriorated severely, in comparison to under the previous system, due to its drastic cutbacks and also because of slow bureaucracy³¹. This has massive consequences for those most in need. These changes have especially affected people with disabilities, persons receiving housing allowances, women, children, and families - especially children in multi-child families-, and single-parent households³². This tremendous impact on children is especially relevant since more than 80,000 children were already living on the minimum income in 2019³³.

While the government has announced changes to improve the situation, there are still many areas in need of improvement. For example, the strict housing allowance rules or restrictive additional earning criteria remain the same. The Austrian Anti-poverty Network offered an explanatory analogy: “out of ten poisonous teeth, three have been pulled, which provides some relief - but it still hurts a lot”³⁴.

Unemployment Benefits and Unemployment Assistance (Notstandshilfe)

Unemployment benefits consist of a base amount, family allowances, and if applicable, a supplementary amount³⁵. This benefit is calculated on the basis of 55% of net income per day in the previous twelve months and is usually received every 20 weeks (4.5 months)³⁶. Some of the criteria for such benefits: fit and willing to work, registered at the unemployment office, having worked for a minimum period of time³⁷. In addition, the person is allowed to earn about €460/month³⁸. It should be noted that some persons, such as those with chronic illness may not fulfill the criteria: if they are not able to work, for example, and thus they would depend on

28 AK Oberösterreich, Sozialhilfe statt Mindestsicherung. Click [here](#).

29 Die Armutskonferenz, Ausbreitung der Not und fehlender Schutz: Folgen und Auswirkungen der eingeführten “Sozialhilfe”, July 2021. Click [here](#).

30 Die Armutskonferenz, Sozialhilfe: Von zehn Giftzähnen, drei gezogen – tut noch immer sehr weh. News 2022. Click [here](#).

31 Die Armutskonferenz: Sozialhilfe Erhebung, „Die im Dunkeln sieht man nicht...“, Schatten-und Wahrnehmungsbericht der Armutskonferenz. <https://www.armutskonferenz.at/sozialhilfeehebung>, 2022. Click [here](#).

32 Die Armutskonferenz, „Sozialhilfe“: Zum Sterben zu viel, zum Leben zu wenig!, September 2021. Click [here](#).

33 FIAN Austria, 2020. P. 13. Click [here](#).

34 Die Armutskonferenz, News 2022. Click [here](#)

35 Österreich.gv.at, Arbeitslosengeld – Höhe und Auszahlung. Click [here](#).

36 Ibid.

37 AMS, Arbeitslosengeld. Click [here](#).

38 Stadt Wien, Arbeitslosengeld berechnen. Click [here](#).

Sozialhilfe, which they would only receive if they meet the respective requirements (e.g. residency status could be reason for exclusion).

Once the unemployment money has been exhausted, a person can apply for “unemployment assistance” (Notstandshilfe). While the calculation for this benefit varies, the average amount received was €30.20/day, which equals about €900/month³⁹. In theory, this aid has no time limit; however the person must reapply after 52 weeks⁴⁰. For this program, the person has to comply with the following: fit and willing to work, registered as unemployed, experiencing hardship, among others⁴¹. Beneficiaries are allowed to earn a maximum of an additional €485.85 gross income per month. In this case, the income of a spouse or partner is no longer taken into consideration⁴². It should be noted that unemployment benefits and Notstandshilfe have not been adjusted for inflation over the past 20 years, and therefore do not offer realistic financial support as they still place many people in the difficult position of living with less money every year⁴³.

While the eligibility criteria and amounts received from Sozialhilfe, unemployment benefits, and Notstandshilfe are different, these benefits are intertwined in the following manner: if the benefit for unemployment or Notstandshilfe is lower than the one from Sozialhilfe (about €978 for a single person), beneficiaries may receive supplementary aid from Sozialhilfe, if the person meets the criteria of Sozialhilfe⁴⁴. Let it be noted: a person living and working in Austria for four years that receives unemployment, would not receive this additional benefit, nor would a person with subsidiary protection residency status.

Family Benefits (Familienbeihilfe)

The primary family benefit in Austria is the “Familienbeihilfe”. In principle, every parent living with the child(ren) in Austria is entitled to receive this benefit from a child's birth until they are 18 years old (extended until 24, if the child pursues higher education). The amount received by each family depends on the age of the child and number of children in the household. The benefit starts at €114/month from the child's birth, up to a maximum of €165.10/month when the child is older⁴⁵. For each additional child the benefit decreases, which negatively impacts larger families⁴⁶.

³⁹ AK, Sozialleistungen. Sozialstaat im Überblick – 1.2. Notstandshilfe. Click [here](#).

⁴⁰ AMS, Notstandshilfe. Click [here](#).

⁴¹ Ibid.

⁴² AK, Notstandshilfe. Click [here](#).

⁴³ AK Oberösterreich, AK-Präsident Stangl: „Teuerungen sind nicht mehr zu stemmen. Sozialleistungen müssen an die Inflation angepasst werden“, February 2022, Click [here](#).

⁴⁴ AK Oberösterreich, Sozialhilfe statt Mindestsicherung. Click [here](#).

⁴⁵ Österreich.gv.at, Höhe der Familienbeihilfe. Click [here](#).

⁴⁶ Ibid.

According to a **recent study** conducted by Statistik Austria, a child living in a household with two adults costs on average €494 per month (specifically €395 under 14 years and €659 over 14 years). The amount increases to €900 in a single-adult household. The current benefits only partially cover this amount, which places single parents and parents with several children in a vulnerable position. This study, presented in 2021 at the Ministry of Social Affairs, has been of great importance since it was the first one conducted since 1964.

There is also a child deduction for taxpayers that amounts to €58.40 per month per child, and has been paid out along with the family allowance as a negative tax since September 2014⁴⁷. If the child has a disability, the family receives up to €155.90 more per month.

Assistance for Asylum Seekers

A separate type of social support has been created for persons seeking asylum and persons granted subsidiary protection known as “basic provision”. Here are some examples based on the data provided for **Upper Austria**⁴⁸:

- Persons living in full-care quarters receive €40/month per person as “pocket money”;
- Persons living in self-care accommodation provided by NGOs or private accommodation companies: a meal allowance of €186/month per adult, minors receive less; and
- Persons living in private housing: subsidy for rent and/or expenses: maximum €300/month; meal subsidy for one adult: €215/month; meal subsidy for one person under 18: €100/month.

While the amounts provided by Sozialhilfe were already below the poverty threshold, this basic provision program is even farther below. Furthermore, the meal subsidies per month are very low especially for minors. Legally speaking any person under 18 is considered a child, thus a 16 year-old would receive €100 euro per month to eat⁴⁹.

At the moment, Austrian law excludes persons with subsidiary protection from the main social benefit Sozialhilfe and only provides basic provision. Regarding persons seeking asylum, it should be noticed that they are largely denied access to the labor market (with some small exceptions) and the asylum procedure can take

⁴⁷ Finanz.at, Familienbeihilfe 2022 – Allgemeine Informationen zur Kinderbeihilfe. Click [here](#).

⁴⁸ AK Oberösterreich, Sozialleistungen für Asylwerber: Daten & Fakten. [Sozialleistungen für Asylwerber | Arbeiterkammer Oberösterreich](#)

⁴⁹ Ibid.

years to resolve⁵⁰. Regular access to employment is only possible, at the earliest, three months after receiving a residency permit, and basic provision is stopped four months after the asylum procedure concludes⁵¹.

The Chamber of Labor of Upper Austria estimates that an asylum-seeking family of two adults and three children living in private housing would receive a total of €1,030/month. This calculation is based on: the subsidy for rent (max. €300), meal subsidy for two adults (€215 per person) and meal subsidy for underage persons (€100 per person). This amount falls far below the poverty threshold⁵².

School meals

While all the above examples approach the right to food and nutrition as part of social rights to be covered by social transfers, we also must include in this discussion direct public food procurement options, such as schools meals or meals in retirement homes for elderly people. In the Burgenland region low-income families can apply for partial reimbursements of school meals since 2019. The percentage of reimbursement⁵³ depends on family per-capita income, for example: households with €624 or less of per capita earnings receive up to 75% reimbursement. The criteria for this assistance vary: some schools in Vienna provide lunch free of charge or partially cover the cost, but this depends on the type of school. In some schools, families that receive social benefits are exempt from the lunch fee, while in others a reduction can be requested if monthly family income is below €2,974.25⁵⁴. In the case of Vienna, let us point out a positive development: the amount of organic lunches served in all-day public schools has increased from 40% to 50%.

While free or low-cost school meals can support the household economy and ensure healthy hot meals for children, this measure does not reach all children, since not all schools have cafeterias or free or low-cost programs. Another question is, what happens to families that do not meet the eligibility criteria for these benefits because they do not have proof of receiving benefits, but still struggle to afford or access adequate food?

⁵⁰ Exception for seasonal employment in agriculture, forestry, and tourism. Individuals can earn a maximum of €110 per month and €80 more per additional family member, in addition to the basic provision Fonds Soziales Wien (Stadt Wien), Asyl & Arbeit. Click [here](#).

⁵¹ AMS, Beschäftigung von Asylwerberinnen und Asylwerbern. Click [here](#). See also: Land Oberösterreich, Grundversorgung von Fremden (Asylwerbenden). Click [here](#).

⁵² AK Oberösterreich, Sozialleistungen für Asylwerber: Daten & Fakten. Click [here](#).

⁵³ AK, Sozialleistungen – Sozialstaat im Überblick. 1.10.1.2.2 Mittagessensförderungen. Click [here](#).

⁵⁴ Stadt Wien, Tagesbetreuung an verschränkten und offenen Ganztagschulen. Click [here](#).

Monitoring work and institutions

An essential part of ensuring access to rights not only includes concrete measures, such as social benefits, but monitoring tools for evaluation as well. In this regard, the Ministry of Social Affairs publishes a yearly report where indicators for social inclusion are monitored (since 2008). The indicators focus on standard of living, housing, work life, educational opportunities, and health⁵⁵. Among these indicators, we also find job-related obstacles stemming from unpaid caretaking labor, which offers a glimpse of the immense imbalance between men and women in this area. The analyses comparing the indicators since 2008 are very useful to see progress and regressions⁵⁶. However, this monitoring work does not evaluate access to healthy food or food (in)security, even though it is clearly extremely important given that access to food is a basic need and represents a permanent and rising expense.

Furthermore, in 2010 the Ministry of Social Affairs created the Austrian National Nutrition Commission (NEK) with the aim of implementing the National Nutrition Action Plan (NAP.e). This was the first time the government made nutritional health a priority and planned measures to “minimize bad nutrition, over-eating, and malnutrition”, while also addressing public food procurement in institutions⁵⁷. While the NAP.e explicitly mentioned socially disadvantaged groups, until now there has been a lack of a more comprehensive structural and socio-economic analysis of access to adequate food for financially vulnerable persons. One of their working groups is developing a publication on “providing access to a healthy and sustainable diet for all”, which envisions a more systemic approach to the entire food system. If and how this includes access to food, especially for financially vulnerable people, will be assessed by FIAN after its publication.

3.2. Food distributors: Non-State Actors

In recent years the number of charitable food distributors (CFD) has grown significantly and they have taken on a leading role in providing food relief to persons living in poverty and persons with very low income all across Austria. Most of these programs were privately initiated by NGOs, churches, private individuals, and service provision agencies. The CFDs mainly receive food donations from supermarkets and other food chains that are fit for consumption but cannot be sold in regular retail outlets because of overproduction, small defects, or because they are close to their expiration date. The surplus food is distributed for free or sold at extremely reduced prices, depending upon the different types of CFDs. Using Vienna as an example, this section presents an overview of the work and operations of different types of CFDs, namely: food banks, soup kitchens, and social supermarkets.

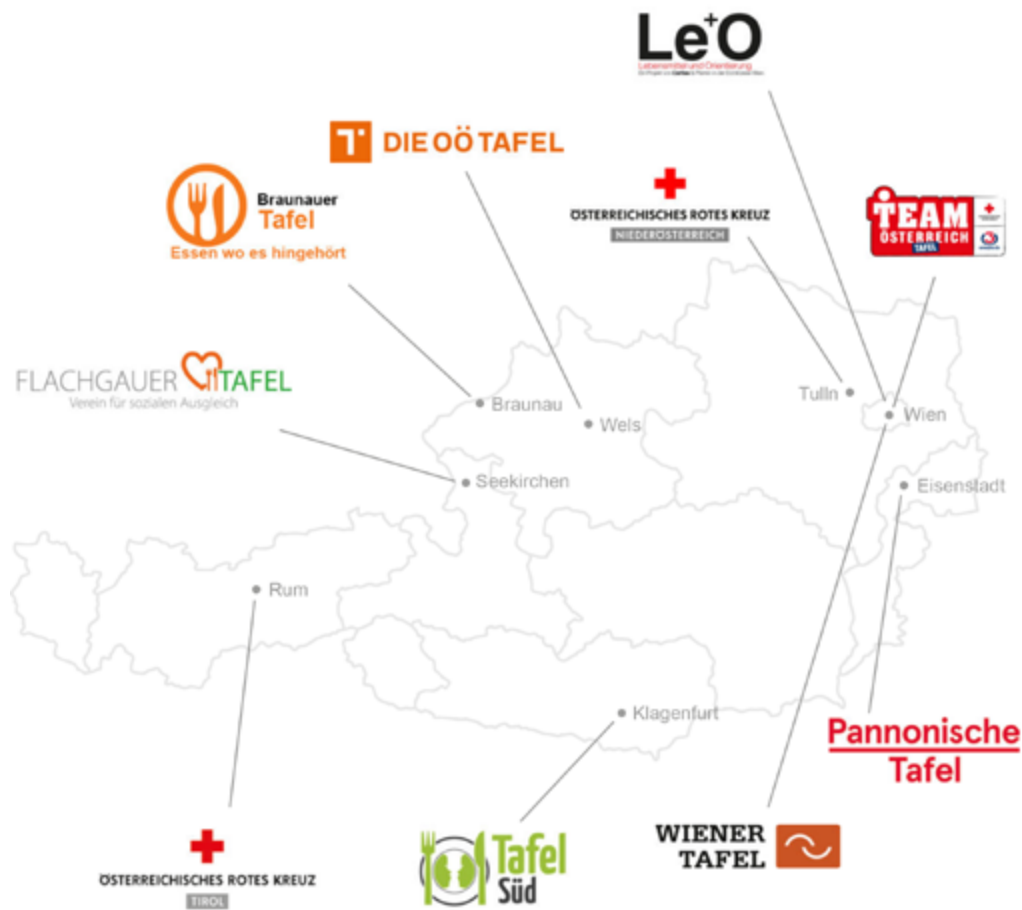
55 Based on EU indicators to measure poverty and social exclusion, as well as additional indicators developed by the Europe 2020 Monitoring Platform.

56 BMSGPK (2020). Click [here](#).

57 See FIAN 2020, Vorläufiger Bericht, and BMSGPK, Nationaler Aktionsplan Ernährung (NAP.e). Click [here](#).

Food Banks

Austria has a network of food banks made out of: ten members which are spread out across different regions of the country and provide food to other CFDs more focused on distribution. Their food supply is all donated, including by the three biggest supermarket chains in Austria: REWE, SPAR, and Hofer. According to the 2020 annual report, the largest categories of goods donated was: non-perishable food (53,568 kg), potatoes (42,500 kg), sweets (38,252 kg), refrigerated goods, yogurts, and desserts (33,170 kg), and vegan food (10,205 kg)⁵⁸. Another 58,712 kg was categorized as “diverse foods” but no specific information was provided. Further data in the report indicates that almost 5 million kg (4,923,436) of food were distributed to 74,897 persons affected by poverty and to another 194 CFDs.



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Wiener Tafel is a member of the food bank network and has been operating in Vienna since 1999. Their annual reports confirm a rising tendency in food distribution by various institutions, as well as the number of recipients of food from this CFD. During 2021 it reached 20,000 persons, the highest number since its founding⁵⁹.

⁵⁸ Die Tafeln, Tätigkeitsbericht 2020, p. 34-35. Click [here](#).

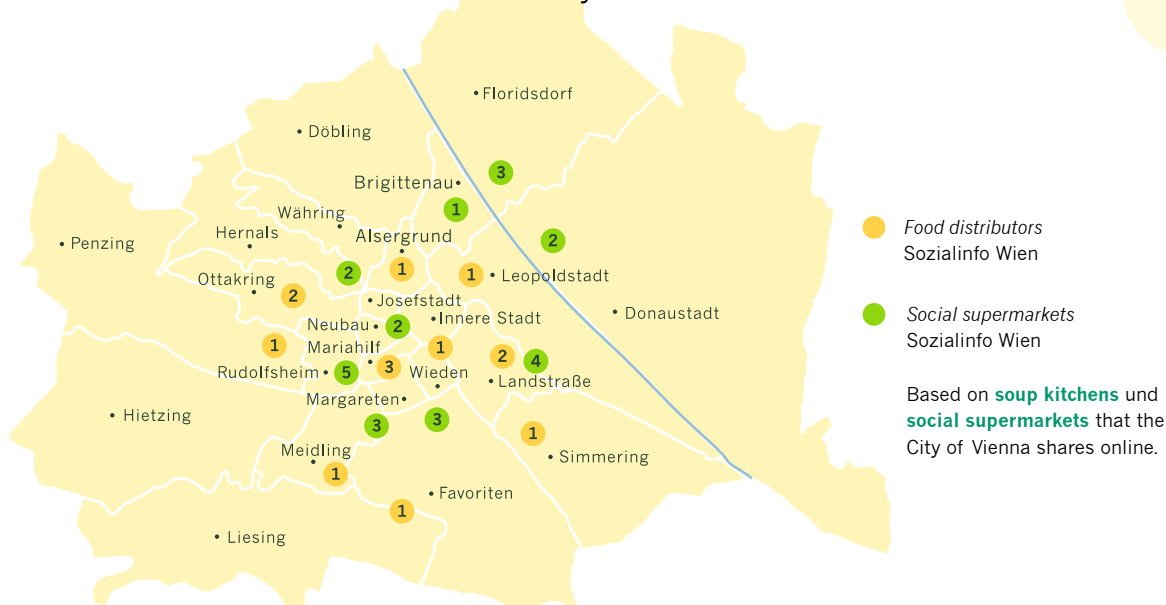
⁵⁹ Ibid.

	1999 ⁶⁰	2000 ⁶¹	2005 ⁶²	2012 ⁶³	2016 ⁶⁴	2019 ⁶⁵	2020 ⁶⁶	2021 ⁶⁷
KG REDISTRIB-UTED	1,000	4,900	80,000	462,400	508,242	676,206	566,685	746,100
PERSONS PROVIDED WITH FOOD				12,000	19,000	19,000	16,000	20,000

The report also documents the large numbers of volunteers that help run the food bank. In 2019, 350 volunteers worked 27,650 hours (which is equivalent to about 15 persons working full time) and 17 paid workers⁶⁸. In 2020, the number of volunteers decreased to 285 as a result of the pandemic and the self-isolation of elderly or vulnerable volunteers. While in 2021, the number of people provided with food was again on the rise, the statistics show a drop in the number of volunteers working, which posed difficulties for many CFDs.

Soup Kitchens

Food banks provide many soup kitchens with food. The map below (left) shows 14 soup kitchens located in Vienna. While more soup kitchens do exist in the city, these are the ones included on the map provided by the City of Vienna: Häferl, Canisibus, Elisabethbrot, Evangelisches Pfarramt, Fair-Teiler (Foodsharing), Franziskanerkloster, Gruft, zweite Gruft, Le+O, and MUT. Interestingly, as compared to social supermarkets, soup kitchens are much more concentrated in the city center.



⁶⁰ Parallel report 2013, page 58. Click [here](#).

⁶¹ Wiener Tafel, 15 Jahre WienTafel. Click [here](#). P. 38.

⁶² Ibid, p. 40 and PB 2013, 58.

⁶³ Wiener Tafel, Jahresbericht 2012. Click [here](#). P.6.

⁶⁴ Kurier, Wien: 500.000 Kilo Lebensmittel für Armutsbetroffene, February 2017. Click [here](#).

⁶⁵ Wiener Tafel (OTS), Wiener Tafel-Bilanz 2019: Jahr der Superlative zum 20.Jubiläum!, February 2020. Click [here](#).

⁶⁶ Wiener Tafel, Tafel News. Click [here](#).

⁶⁷ Retail, Wiener Tafel Jahresbilanz 2021: Tägliche Versorgung von 20.000 Menschen (+31,7%), February 2022. Click [here](#).

⁶⁸ See footnotes 37-44.

One of the foremost NGOs providing food relief is Caritas. They operate different CFDs, such as Die Gruft, where people receive hot meals and shelter. Statistics from previous years also reveal a steady increase in distributed meals, rising from 58,000 in 2001 to almost double in 2019, with 119,653 meals served⁶⁹. Another CFD run by Caritas is the food truck Canisibus. Two buses drive to eight set locations in Vienna “everyday, same time, same location”, explained one worker at this CFD. Since 1990 this bus has offered hot soup without requiring any identification or proof of income⁷⁰. Statistics from past years also confirm an increase in distributed meals, rising from 68,000 in 2011 to 71,356 in 2019⁷¹. According to information provided by a staff member, “we serve 180 liters [of soup], and 50 kilograms of bread each and every day. Currently we have around 200 guests per day, peaking at around 400”⁷².

Regarding funding, the interviewee explains that it is “100% funded by donations; we have people donating money, companies and private people donating goods and we also cooperate with social organizations like Wiener Tafel and Team Österreich Tafel”.

A CFD worker shared their opinion of the changes during the pandemic:

At the start of the pandemic we had more guests but now during the second lockdown the number actually decreased a little bit, because the City of Vienna opened their 24-hour shelter which is part of the “Winterpaket”...you could call it “winter social packet”. But there are some new developments: in the last few days we witnessed the numbers slightly increasing again and we have started to see new faces, which we highly suspect is due to Corona. – worker at the CFD, November 2020.

Social Supermarkets

A third type of CFD are social supermarkets, defined as “small-scaled, non-profit oriented retail shops with a highly restricted range of goods for everyday needs at symbolic prices, which are offered on a self-service basis. Only financially vulnerable persons are entitled to shop there”⁷³. A map of Vienna shows about twenty social supermarkets. Among them, the start-up FOOD POINT, Samariterbund, SOMA Sozialmarkt, VinziMarkt, Wiener Hilfswerk, and Sozialmarkt Wien⁷⁴.

⁶⁹ FIAN, 2013. Parallel Report ESCR in Austria, p. 58. Click [here](#). See also: Caritas Wien, „Niemand lebt freiwillig auf der Straße“, January 2020. Click [here](#).

⁷⁰ Statement of worker at Canisibus in group discussion, 2020.

⁷¹ Parallel Report 2013, p. 58. Click [here](#).

⁷² Information provided by a worker at Canisibus, 2020.

⁷³ Parallel Report 2013, p. 57.

⁷⁴ Fonds Soziales Wien (Stadt Wien), Sozialmärkte. Click [here](#).

Another social supermarket is SOMA Österreich und Partner. Founded in 1999, it has forty locations around Austria and serves around 100,000 customers⁷⁵. As is the case of other social supermarkets, it collects surplus goods from industrial and commercial companies and sells them for a symbolic price to people with documented low income⁷⁶. Our interviewee who works at this CFD explained that food prices are about 25% of the regular prices and that customers are allowed to shop three times a week and spend €10 per visit. Social supermarkets also depend on volunteers to run them. An important characteristic is their opening hours, which are usually much more limited in comparison to regular supermarkets: for example, Monday to Friday 9:00 am to 2:00 pm. Interviewees explain that they often are not able to do their shopping at social supermarkets because they are working during their business hours.

Another social supermarket is Sozialmärkte Hilfswerk, which has two locations in Vienna, and operates in a similar manner: proof of low income is required for shoppers. This involves registration, bringing proof of income, and a photo ID. Income is limited to:

€ 15,936 per year for a single person
€ 23,904 per year for a couple
plus € 4,776 per year per child
plus € 7,968 per year per additional adult ⁷⁷

At this supermarket, weekly purchases are restricted to €30 and the prices of products are usually 50-90% cheaper than in conventional stores⁷⁸. Opening hours are also different from those of other traditional supermarkets, operating between four and six hours per day depending on the day. These supermarkets are closed on weekends.

3.3 Solidarity Initiatives

In this mapping process, we also identified alternative business models and cooperatives that function as alternative methods focused on providing access to healthy food for everyone at lower prices. In the context of Austria, the participatory supermarket MILA, which is still under construction, plans to sell food to members who create, work, and own the company together. To be able to offer affordable but fair prices, paid work is reduced to the bare minimum and the rest of the work is done by the members, who are all required to work in the supermarket for three hours each month⁷⁹.

⁷⁵ SOMA Österreich & Partner, Gegen Lebensmittelverschwendung. Für Nachhaltigkeit. Click [here](#).

⁷⁶ Ibid.

⁷⁷ SOMA Sozialmärkte. Click [here](#). To be noted is that the income limits might be changed due to the current inflation.

⁷⁸ Ibid.

⁷⁹ MILA, Mitmach Supermarkt. Click [here](#).

This initiative is part of an international network of participatory supermarkets, spear-headed by Park Slope Food Coop in New York, La Louve in Paris, and Superquinquin in Lille⁸⁰. As explained by one of their co-founders, the cooperative represents: “an alternative to commercial, profit-oriented supermarkets but also an alternative to food banks or social markets”. The aim is

to have good prices, fair prices – ideally lower prices than in other supermarkets – and have an emphasis on high quality food that is regional, seasonal. [...] It should be open for everyone, it should be a social space with no kind of stigmatization if you enter the space, so we hope that it will be quite a diverse group of people who will be members.

Another type of solidarity alternative is food purchasing cooperatives, which are groups of persons that collectively purchase food from farmers and distribute it among members of the group⁸¹. In Austria there are about 80 so-called “FoodCoops”. These initiatives are unique in that the traditional anonymity between producers and consumers is done away with; food is seasonal, regional, organically sustainable, and produced in a socially just way. Tasks such as collection and storing goods are done as a group and decisions are made collectively as well. Bioparadeis is one of these coops and was the first FoodCoop in Austria. Anyone can join, there is a monthly plenary meeting where decisions are made and work is divided among members. Members decide the extent of work, which can include warehouse support, cleaning activities, or flyer production. There is a membership fee of between €9 and €12, depending on members’ personal financial situation; this fee serves to cover operating costs⁸².

A third type of initiative is the Community Supported Agriculture model, where consumers and producers have a direct relationship without middlemen. Based on an estimated annual cost, consumers commit to paying a fixed amount in advance, which secures income for producers. This setup entails a certain amount of risk for customers in case of a bad harvest; but it also ensures customers receive a portion of the harvest, which is organic and regionally-sourced. There are twenty-five solidarity farms in Austria⁸³. One of them is SOLILA:

[...] the idea that the buyers decide among themselves how much they can pay - there are three levels [...] You also bear the risk of agriculture, if crops fail then the share is smaller. But if there is a bigger amount of something then the share is correspondingly larger. – Single mother of several children, about 45 years of age.


⁸⁰ MILA, Park Slope Food Coop. Click [here](#). See also: MILA, La Louve. Click [here](#).

⁸¹ BIORAMA, Solidarische Landwirtschaft und Food-Coops: Alternativen zum Supermarkt, July 2016. Click [here](#). See also: Food Coop, Was ist eine FoodCoop? Click [here](#).

⁸² Bioparadeis, Funktionsweise. Click [here](#).

⁸³ BIORAMA, 2016.

Initiatives focused on reducing food waste for environmental reasons are not considered herein, as their mission is not to provide access to food to persons with a low income.



I have five children and that involves a lot of organizational work and I cannot rely on good-luck food. What there is or maybe not [in food box] - I just have to organize a meal for the kids every day and I also have to organize everything else possible for the kids. And that is just very time consuming.

– Single mother of several children, about 45 years of age.



PART 4

SHARED EXPERIENCES



This section includes comments from interviewees that give us more insight into the experiences of people who live in or are at-risk of poverty. Persons working in CDFs were also interviewed in order to learn about their experiences. The interviews and group discussions were conducted between March and November of 2020 and address experiences with direct access to food:

Access to food and stigma

Interviewees highlighted feeling stigmatized, especially in those places where they have to provide proof of monthly incomes or when they have to wait in line on the street, where they are especially visible. Others prefer not to use these options because they do not want to buy only discarded and surplus goods:

I have to be honest and say that I don't really use anything. Because it's too big a challenge for me. I suffer extremely from the stigma of being poor. Of course, I would like to experience that as little as possible...– Man, father of one child, about 40.

...then there's the added thought of hopefully no one will see me. – Woman, mother of several children, about 45.

I don't think it's bad to do it, but for me it would be really bad that I have to go to a SOMA and take discarded things. – Woman, mother of multiple children, about 40.

Highly bureaucratic procedures

Other barriers to accessing CFDs include highly bureaucratic procedures, physical distance to locations, and limited opening hours:

I had to bring the IDs of the whole family. – Man, refugee, 21. In response to a question about why he did not shop at the CFD, the interviewee explained that he and his brother were in school in the morning, and the parents could not take the train because of the language barrier.

There is not a pass that works for all locations, but you have to apply at each individual supermarket again. With registration form, proof of income. [...] I work and have four children with four different income certificates. [...] And at my SOMA I can just go on Fridays because they have the same limited opening hours and for working people it just does not work. – Woman, single mother with several children, 45 years old.

Food variety

Interviewees working at the CFDs explain that they sell and cook whatever donations they receive; meaning there is no regular pantry. Food surplus is donated by top trade organizations and other industrial companies, without any attention to nutritional or health implications:

We always have this assortment of products which is a surplus in production. So sometimes we have a lot of milk, sometimes we have a lot of yogurt, sometimes we have a lot of vegetables and so on.— Man working in a social supermarket.

We all live on food donations and it is not easy to control which donations you get and any donation that is intact and cannot be cooked because it is either too little to make enough food or not suitable for cooking. For example packaged dairy products especially fruit yogurts or drinks and sweets, donuts, snails). [...] There is a huge amount of sweetened lemonades, spreads, salad dressings, new products that are left over in the supermarket, all kinds of fruit yogurts...". [...] "What you would always buy in such markets are potatoes, onions, bread and pastries. But a healthy, sensible, good diet, where you can also make a meal at home, is almost impossible to make. – Soup kitchen employee.

According to the interviews, the experiences of persons at risk of or experiencing poverty in terms of adequacy of available food vary widely, but all of them confirmed the proportion of fresh food is low in comparison to industrial products:


Quality of food varies a lot between very good and very bad", Interviewee went on to mention that there is a lot of meat, but seldom any veggies and fruits. – Man, age unknown.

I have a SOMA near me. The only thing that is still good and cheap there is the bread. [...] Everything else is donated goods from corporations, like Felix cans, Maggi ready-made things, chocolates without end, some sweet drinks. The bread was really helpful because it was high quality bread. – Woman, single mother of four children, about 45.

These are mainly industrial products that become waste due to the best-before date. Fruits and vegetables are often in short supply. Bread is thrown away the most – woman, 60.

Dependence on volunteers

CFDs rely heavily upon volunteers. This fact has presented challenges during the pandemic, especially in the beginning when older and vulnerable volunteers self-isolated themselves. This sudden lack of human resources and the following strict rules enacted to avoid the spread of COVID-19 impacted their work and capacity to attend to the rising demand for food relief, as confirmed by two interviewees:



Our team consists of two civil servants, one person doing their year of voluntary social work, and two project coordinators, and last but definitely not least our pool of 150 volunteers. They are super important and without them we could not do it. [...] Combined it's up to 1,000 hours per month. – Soup kitchen worker.

There are around 200 people, most of them are volunteers – Man working in a social supermarket.

PART 5

HOW TO ASSESS THE EXISTING MEASURES?



In this section, we assess two of the above-mentioned measures by using the so-called 'PANTHER principles'. These principles ensure an assessment through a human rights-based approach and also serve as a guideline for the decision-making and implementation processes⁸⁴ of other measures at local, regional or national level. PANTHER⁸⁵ stands for:

- **Participation** – Right-holders or their representatives should be included and participate in the formulation, implementation, and monitoring of policies and processes. The right to participate can take many forms: political participation (political rights), social participation (civil rights), and economic participation (economic, social, and cultural rights).
- **Accountability** – Persons with public responsibilities (public services, administration of public resources, or protection of human rights) should be held accountable if their performance violates their responsibilities. When a right has been violated as a result of state action, the individual or group violated should have access to recourse and remedies as provided by law, e.g. at the appropriate court.
- **Non-discrimination** – “All individuals are equal as human beings and by virtue of the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status as explained by the human rights treaty bodies.” This entails that any policies, programs, or institutions be assessed to detect discriminatory effects they may produce.
- **Transparency** – Decision-making processes should be transparent and open to examination by anyone. This implies having clear information on regulations and processes that are accessible. Further, the management of resources should comply with rules and regulations.
- **Human Dignity** – Any action developed or implemented should foster respect and promote human dignity as well.
- **Empowerment** – Every person shall have the capacity to make effective choices and self-determine desired actions.
- **Rule of Law** – States must comply with the rule of law which shall apply to everyone.

⁸⁴ FAO, The Right To Food. Click [here](#).

⁸⁵ FAO, The Right to Food, Methods to Monitor the Human Rights to adequate Food, Volume II, 2008, p. 9, 131-132. Click [here](#). Same source for all human right principles named hereinafter.

In addition to these human rights principles, the annexes included herein provide guiding questions for further assessment based on the case of Austria. The questions can be used to generate a more comprehensive understanding of social rights at the local, regional, national, or EU level.

EXAMPLE 1 – ASSESSING THE SOCIAL BENEFIT SOZIALHILFE (PANTHER PRINCIPLES)

Sozialhilfe is a social benefit designed to cover the general subsistence of a person, including food expenses. Nevertheless, the rising prices of fixed costs (housing and food especially) are not matched by higher benefits; instead drastic financial cut-backs have been incorporated into this benefit scheme, e.g. by deducting housing allowances from the benefit amount. The maximum amount a beneficiary receives is below the poverty threshold (principle 5 – human dignity).

If a beneficiary were to consider this aid insufficient to meet his or her daily needs and feed her or himself, the right to food could not be claimed in court, since it is not enshrined in national law and international covenants are not directly applicable. Neither can the right to food be claimed through the national social legislative framework (principle 7 – rule of law). The only possible situation in which authorities can be held accountable is when authorities do not grant benefits even though the person is legally entitled to receive them. (principle 2 – accountability, principle 7 – rule of law).

One of the most striking criteria is that the social benefit Sozialhilfe excludes people with certain residence permits. This happens to persons with humanitarian residency permit and subsidiary protection. A reform to end this discrimination in part was announced in April 2022, but it still needs to be implemented and should be extended to persons with subsidiary protection. A comprehensive reform would restore equal treatment (principle 3 – non-discrimination). Another point of concern that impacts larger families in particular, is the fact that financial benefits decrease progressively for each additional child in a household.

The allowance for additional earnings has also been greatly reduced in the Sozialhilfe program in comparison to the previous system. For example, persons with disabilities who may work a few hours a week to earn a small additional income are no longer allowed to receive earnings above €15/month, which in the past would have been deducted from the benefit. This regulation makes recipients completely dependent upon a social benefit that is below the poverty threshold and only allows them to earn a few additional euros (linked to principle 6 – empowerment)⁸⁶.

When amending the social benefit scheme, the government should engage with and involve affected people in all stages of the decision-making process (principle 1– participation and principle 4 – transparency). Furthermore, potential discriminatory effects from these changes should be monitored.

⁸⁶ Bizeps, Sozialhilfe: Von zehn Giftzähnen, drei gezogen – tut noch immer sehr weh, April 2022. Click [here](#).

Taking all these considerations into account, it can be concluded many aspects of the PANTHER-Principles are not fulfilled. The aforementioned aspects related to rule of law, equality, non-discrimination, ensuring dignified living conditions participation in decision-making processes, and empowerment to make effective choices should all be revised. In future decisions, it is highly recommended that these human rights principles be reviewed before decisions are implemented and that the different realities of beneficiaries are taken into account.

EXAMPLE 2 – ASSESSING SOCIAL SUPERMARKETS THROUGH THE PANTHER PRINCIPLES

Social supermarkets are one of the Charitable Food Distributors that are becoming increasingly essential, as state responses to food insecurity have proven to be insufficient. It must be noted that these private initiatives are not responsible for fulfilling the right to food and nutrition. However, as actors responding to food insecurity, it is important that they also comply with human rights principles.

While private actors must comply with laws and other regulations, responsibilities in decision-making processes and transparency rules differ from those of public institutions. Lawful decisions can be made unilaterally in private institutions. However, considering that social supermarkets aim to support persons with limited financial resources, it would be highly recommendable to establish participatory procedures where persons affected by a decision can directly engage or have their interests represented by others (principle 1 – participation).

Furthermore, we find that most social supermarkets have rules for entering their premises in order to only permit people with documented low incomes. While this measure might be intended as positive discrimination and to reserve goods for those people identified as most in need, it can generate feelings of stigmatization and segregates people with low incomes from others with higher incomes (principle 3 – non-discrimination and principle 5 – human dignity). Also, the fact that the food provided is derived from surplus goods that could not be sold and is reserved only for people with low incomes neither empowers nor encourages equal treatment. Measures designed to support access to healthy food should find ways to encourage social inclusion.

An additional consideration to be included in the assessment is self-determination in terms of an individual's diet (principle 6 – empowerment). Social supermarkets allow people to freely choose the products they want to buy, but they have a limited stock, as they depend on donations, which are usually surplus goods. While private initiatives are not responsible for providing access to the right to food and nutrition, we have observed that these initiatives do not give priority to healthy food or consider special dietary needs given that they rely on donations. On the other hand, the state should assume its responsibility to secure access to healthy and appropriate food in order to end food insecurity.

A further point to examine is that social supermarkets are able to stipulate the amount of money people can spend on a daily and weekly basis. While some regulation may be deemed necessary for organizational purposes, this restricts an individual's decision-making power a great deal; thus other solutions should be explored (principle 5 – human dignity and principle 6 – empowerment).

One last point, regarding the rule of law: it is observed that when social markets fail to comply with applicable laws, or other obligations, they can be held accountable on the basis of existing legal conditions. (Principle 2 – Accountability and Principle 7 – Rule of Law).

As private actors, social markets do not have the responsibility to fulfil the right to food. Nevertheless, the PANTHER principles can be applied to identify where to apply changes. Taking into account all these aspects, our evaluation highlights important aspects that need to be addressed in relation to: equal access and social inclusion, human dignity, participation in decision-making processes, and empowerment to make effective choices. It is also highly recommendable that future decisions be assessed based on these human rights principles before being implemented.



PART 6

ACTORS AND NETWORKS



This section provides an overview of the main actors that should be involved in expanding the capacities of civil society organizations and increasing social inclusion at the institutional level and in legal, budgetary, and policy frameworks. It also identifies existing networks and relevant programs:

Groups of persons experiencing poverty or very low incomes, among them: single parents, children, large families, persons with disabilities, persons with chronic diseases, retirees with low income, migrant workers, asylum seekers, refugees and persons with subsidiary protection, long-term unemployed individuals, persons with low income, working poor, and persons experiencing homelessness. This list is not exhaustive. In some countries, we find that persons living at risk (or in) poverty have organized themselves into networks to represent the interests of persons affected by poverty (see NGOs and networks below).

Persons working at Charitable Food Distributors: food banks, social supermarkets, and soup kitchens, CFDs national networks (e.g. food bank network in Austria, European Food Bank Federation).

Solidarity Initiatives, such as: participatory supermarkets, food coops and Community Supported Agriculture.

Food donors, such as: supermarkets and food corporations.

NGOs and networks, such as: the Anti-Poverty Network, self-organized initiatives of persons affected by poverty (e.g. Plattform Sichtbar Werden), work groups such as Sozial Rechts Netz (legal representation of strategically relevant individual cases), FIAN sections, food policy councils. Some of these organizations also are members of international networks, such as the European Anti-Poverty Network.

At the governmental level, institutions, such as: Ministry of Social Affairs, socially funded institutions (e.g. Fond Soziales Wien) and departments at the city level.

Other institutions, such as: national human rights institutions.

An institutionalized dialogue and cooperation between the above-mentioned groups of people are essential to enhancing understanding of the diverse range of realities and finding strategies to combat poverty by fostering and ensuring an environment where individuals are empowered to enjoy their right to food and nutrition. In addition to the abovementioned entities, additional networks and forms for cooperation have been identified:

- The Platform “Sichtbar Werden”, which is part of the Anti-poverty Network, where persons affected by poverty provide important information to politicians, decision-makers, and the media. They represent the interests of people experiencing poverty at different levels: public events, work groups in ministries, and exchanges with decision-makers⁸⁷.

⁸⁷ Die Armutskonferenz, Rechtsvertretung, Vertretung strategisch relevanter Einzelfälle. Click [here](#).

- Conferences or other events, such as workshops or research presentations are also essential to keep the evolving challenges and needs on the political agenda and in the media. In the case of Austria, the Anti-poverty Network organizes a three-day conference every two years, with another conference one day prior for persons experiencing poverty, and a plenary session as well as many workshops. The NGO Forum, an event organized by the Austrian Ombudsman Board, which has the NHRI mandate in Austria.
 - Many of the aforementioned structures existing at national level also exist as regional networks, such as the Anti-Poverty Network or the European Food Bank Federation. Regular exchanges to share knowledge on national and regional developments, funding possibilities, training, or simply further exchange possibilities are essential. One such funding possibility is the European Fund to Aid to Most the Deprived (FEAD), a program with a budget of €3.8 billion created to support “the alleviation of the worst forms of poverty in the EU”. It supports all EU member states through two operational programs. The first one provides food and/or basic material assistance (clothing, hygiene products, etc.), and the second focuses on social inclusion. The members have to co-finance 15% of the budget received and deliver assistance through partner actors, often NGOs. This program was initially planned to be implemented between 2014-2020; but due to COVID, it has been extended to 2022. To date, it has provided assistance to 13 million people.
1. In the case of Austria, the FEAD program focuses on school supplies that children need at the beginning of the academic year, providing a package valued at approximately €70 for families receiving other social benefits⁸⁸. This support was managed directly through the Red Cross.
 2. An example of direct food support is found in Portugal where food packages are distributed⁸⁹. This program also has a network, the FEAD Community, which identifies challenges and shares good practices and examples of poverty alleviation. These programs should also be evaluated through the PANTHER principles and assessed to determine if measures support the right to food and nutrition.
- At the international level we also find monitoring structures, such as regular reporting from civil society on the progress of economic, social, and cultural rights, and the remaining problems and recommendations. Such a report is submitted by civil society to the UN Committee on Economic, Social, and Cultural Rights in parallel to a report submitted by the state. This parallel report involves close cooperation among many different national civil society organizations. Based on the results of the reports, the Committee replies in the form of a list of concluding observations and recommendations to the state party.

⁸⁸ European Commission, Employment, Social Affairs & Inclusion. Click [here](#).

⁸⁹ Ibid.

CONCLUSIONS



In this subsection, we identify how Charity Food Distributors have taken on a leading role in providing food for people experiencing poverty or with very low incomes. While statistics published by some CFDs show that the number of people utilizing their services has almost doubled over the past ten years, it is not possible to determine the exact figures on a national scale. The state would need to take on a coordinating role to officially monitor the numbers of distributed meals, along with the reasons contributing to necessity or dependence on CFDs in order to understand the scope of poverty and food insecurity.

As mentioned in the introduction, it should be noted that institutionalizing CFDs will not tackle the structural problems that push people into poverty, and thus this should not be a goal of the long-term struggle against food insecurity. It is the state's responsibility to develop adequate responses and create an environment that allows individuals to fulfill their own food choices. Measures developed should engage experts in the field and persons affected by poverty with the executive, legislative, and judicial powers and offer a comprehensive response, since the right to food is intertwined with other human rights.

This module has also identified relevant practices and limitations to the existing system. The need for change in regulations has been identified. For example, the case of people who are denied Sozialhilfe benefits simply because their residency in Austria was granted through a subsidiary protection title because they fled from civil war. Other measures analyzed did not sufficiently address the realities of beneficiaries: for example, some social benefits have not been adjusted for inflation for many years and others are simply too low to cover rising fixed costs. It is also seen that changes are necessary in the case of young asylum seekers, who receive a much lower food allowance compared to adults, although at least equal funding would be necessary.

While these observations highlight specific areas for improvement, they also reveal the need for comprehensive monitoring of different social rights and economic realities: not only social benefits, but also the labor market, the existence or absence of a minimum income, the cost of living, etc. When developing and analyzing social benefits, the realities of different potential beneficiaries should be also considered (single caregivers, persons with chronic diseases, etc.).

One of the main lessons learned from the examples provided herein is that social rights, including the right to food and nutrition, should be enshrined in national law. Without this, persons entitled to social benefits that cannot manage to achieve and maintain overall subsistence cannot claim their social rights in court. Neither can persons who feel unjustly excluded from social benefits file a complaint in court if said right is not enshrined nationally. These circumstances not only have a negative impact on individuals as right-holders, but it also demonstrates the failure of the state to identify the scope of food insecurity or other issues through jurisprudence.

While these conclusions are based specifically on the case of Austria, the overall needs identified can be relevant for other European contexts, as food insecurity is widespread across the continent, and governments should ensure rights-based access to an adequate diet for all.



ANNEX 1

GUIDING QUESTIONS FOR FURTHER ASSESSMENT OF STATE MEASURES

Observations from Austrian case and assessment questions to be applied in general:

A) FIAN observes considerably high numbers of persons with low income and affected by poverty (approximately 17%). At the same time, there is a rise in CFDs providing food relief.

Food insecurity and monitoring

1. Does the state ensure that conditions exist for people to meet their basic food needs?
2. Does the state include social rights in its national legal framework and/or is international law directly applicable?
3. Are there complaint mechanisms in place to challenge administrative decisions that have a bearing on the right to food?
4. Does the state monitor food insecurity in a regular and systematic manner (includes progress/regression, indicators)?
5. What funds are allocated to implement the right to food?
6. Is there a national action plan or strategic program on the right to food and nutrition?
7. Is civil society involved in a right to food and nutrition strategy?

Collaboration with charities

8. Is there monitoring of the number of charities providing food relief?
9. Is there systematic monitoring and reporting on the number of persons who access/depend on private food relief?
10. Does the state cooperate with private charitable food distributors that provide food relief? How so (financial support, planning, monitoring, evaluating)?

B) FIAN observes that elderly women living alone, single parents, children, long-term unemployed, asylum seekers, persons with subsidiary protection or persons with chronic illnesses are over-represented among those affected by poverty.

Root causes

11. Does the state identify the root causes behind poverty? Are the causes regularly monitored to identify changes?
12. Are strategies to counteract poverty set in place? Are impacts of such strategies regularly monitored?

Combating root causes (family roles, child care, disability, illness)

13. Poverty among elderly women is frequent (stemming from maternity leave, raising children, part-time employment, divorce, not receiving alimony, too few years of pension). Does the state analyze these structural causes and develop preventive measures? Does the state work on raising awareness about gender roles in families and at work⁹⁰?
14. Are free childcare structures in place to support parents balancing work and the care of their children? Are enough funds allocated to ensure full coverage of demand? From which age on and how many hours per day?
15. Are there childcare support mechanisms that specifically support single parents?
16. Is there state support for persons with disability? What type of support is provided and is the support sustainable for the future of all involved persons to live an independent life?
17. What is being done to support persons with chronic illnesses of working age?

Access to education and work

18. Does the state provide free access to university or support those with limited financial resources?
19. Who has access to work? This is especially relevant for asylum seekers, who often must wait for years for a final decision and are often not allowed to work regularly.
20. Are minimum wages established officially?
21. How is access to work regulated (e.g. for persons with a disability)?
22. Does the state monitor if incomes (wages or others) are high enough to participate in society?

C) We also observe a rise in the cost of living, for example housing and energy costs, which means that persons with lower income or affected by poverty have to choose which fixed expenses they can pay. This is often undermines a person's ability to determine their own diet.

23. Are certain prices regulated by the state (e.g. housing)?

24. Does the state analyze and respond to structural challenges relating to housing (e.g. real estate fees for tenants, land speculation, penalizing usurious rents)

25. Are social benefits disaggregated by fixed costs (e.g. food, housing, etc.)?

26. Does the state have programs to support persons with low income?

D) In addition, we observe that there are different types of social benefits, but that they do not all equally address the needs of all persons with a primary residency permit in the country, as country of origin, type of residency permit, and length of residency are criteria. This can lead people into a situation of acute or long-term poverty. Based on different analyses, we also see that the amounts provided are often insufficient to cover all costs, especially with the recent rise in inflation which is often not considered by social benefit programs, and also due to the rise of housing, energy, and food costs:

Implementation of social transfers

27. What types of social benefits exist? Is every person living in the country entitled to receive financial support? Are certain demographics excluded?

28. What are the main challenges related to social transfers?

29. Are social benefits enough to cover fixed costs? Is it also enough to participate in society?

30. Are the requirements for social benefits also designed to be supportive and empowering?



ANNEX 2

GUIDING QUESTIONS FOR FURTHER ASSESSMENT OF PRIVATE INITIATIVES

Observations from the case of Austria that can serve for self-assessment or general assessment.

Social inclusion and decision-making:

1. Are there formal or informal requirements that restrict access to charitable food distributors?
2. Are there people in need who are subject to discrimination through these formal requirements?
3. If not, how does the distributor ensure social diversity and inclusion when offering vulnerable persons access to food and nutrition?
4. Does the initiative establish limitations (e.g. maximum amount of money spent)?
5. Does the initiative allow external participation in decision-making processes?

Accessibility:

1. Are the opening hours compatible with most people's work schedule?
2. Are the locations within reasonable distance, geographically spread out across all districts of a city, and easy to reach by public transportation?

Data and monitoring:

1. Is data collected on: food donated, number of charitable food distributors, types of charitable food distributors, recipients of food support, volunteers needed, volunteer hours, distinction between places requiring ID and those not requiring it?

Quality of food:

1. What categories of food are provided and at what percentages (e.g. sweets, yogurts, bread)? What are the amounts of fresh vegetables and fruit?
2. Is there enough variety for a person to do their weekly grocery shopping at the location?

3. Are prepared meals healthy (include fruits/vegetables or are quite sugar-heavy?)
4. Do meals distributed take into account special dietary needs (e.g. gluten free) or cultural preferences?

Cost of food:

1. Are the prices the same for everyone or is there a distinction between vulnerable people and persons with sufficient income?
2. If there is price differentiation, does the initiative prevent stigmatization and preserve anonymity? How?

Actors involved:

1. Is the initiative dependent on volunteer workers? If so, how many hours do they work yearly or how many full-time or part-time positions do they represent?
2. Who provides the surplus food that is sold at low prices or distributed for free?
3. Does the state provide support or does it have a more active role in maintenance?



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