

Comments to the draft Guidelines on the implementation of the right to adequate housing

Concerning civil procedure:

In Austria there is ample and uninhibited access to justice, however not every right is justiciable before civil courts. Civil courts are only competent to decide on civil matters. Access to justice will moreover only be successful if there is a material right granted by the domestic or any other international legal order applicable in Austria.

The Austrian system of civil procedural law grants legal standing to all parties of the procedure. Legal standing or the right to any participation in the proceeding for any other person, group or organisation not party to the procedure would require an explicit legal basis. As far as the right to housing or any aspect of this right is concerned, there are no legal provisions as to this matter.