COUNTRY FACTSHEET: AUSTRIA 2013
EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Austria during 2013, including latest statistics.

2. Legal Migration and Mobility

2.1 . PROMOTING LEGAL MIGRATION CHANNELS

Information on legal migration and mobility was regularly updated in 2013 on the website www.migration.gv.at, where information on immigration possibilities, especially for highly qualified workers, can be found in German and English. Updated information on settlement and residence in Austria is also provided at the Federal Ministry of Interior website[1] and in the EU Immigration Portal[2]. The website www.help.gv.at provides foreign citizens with information on living and working in Austria.

2.2 . ECONOMIC MIGRATION

In May 2013, the State Secretariat for Integration together with the Federation of Austrian Industries presented a concept to develop by mid-2014 a "**Strategy for a future migration policy**"[3]. The strategy would be based on the three pillars: (i) labour market monitoring, (ii) migration monitoring and (iii) migration climate under an overall migration management. Also in 2013, the Act Governing the Employment of Foreign Nationals and the Act on the Employment of People with Disabilities (FLG.I No.72/2013); and the Act on the Restructuring of the Aliens Authorities (FLG. I No. 68/2013) were amended resulting in several measures. For example, as from 2014 it would be possible for very highly qualified third-country nationals to file their application for the 'Red-White-Red Card' also at Austrian representations

(embassies or consulates) abroad;[4] as well as to **apply for a residence permit 'Red-White-Red Card' through the national employer in Austria**. Finally, the amendments also introduced a **combined residence and work permit for holders of the 'settlement permit' and 'residence permit – artist'.** In addition, they are now able to receive a 'Red-White-Red Card plus' when special integration criteria are fulfilled, and thus allowing them to unrestricted labour market access. Artists can now receive a permit that is similar to the 'Red-White-Red Card'. Work permits or exemption certificates are no longer applicable, thus people in possession of the mentioned permits are eligible to receive a 'Red-White-Red Card plus' with unlimited access to the labour market.[5]

Along with the annual Regulation for Skilled Workers, a **new list of shortage occupations for 2014 was published in October 2013**. According to the Regulation, third-country nationals will be able in 2014 to immigrate to Austria through the 'Red-White-Red Card' as skilled workers in one of the 16 listed shortage occupations.

To facilitate the employment of young academics and to increase qualified employment in Austria, in February 2013 **a decree of the Federal Ministry of Labour, Social Affairs and Consumer Protection (FMLSC) was introduced**.[6] The former enables university assistants to apply for the 'Red-White-Red Card' without being fully employed, but meeting specific criteria points and a minimum wage. [7]

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[1] www.bmi.gv.at/cms/bmi_niederlassung/.
[2] http://ec.europa.eu/immigration/.
[3] Federation of Austrian Industries and State Secretariat for Integration, available at: www.iv-net.at/d3745/qualifizierte_zuwanderung_attraktiv_gestalten.pdf.

[4] The privilege to apply while staying in Austria with a job search visa remains valid.
[5] For further information see www.ris.bka.gv.at/Dokumente/RegV/REGV_COO_2026_100_2_827206/COO_2026_100_2_844973.html .
[6] Federal Ministry for Labour, Social Affairs and Consumer Protection, available at: www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2013_II_328/BGBLA_2013_II_328.pdf.
[7] For example if the amount of points are fulfilled on education, research successes, language skills, professional experience, etc. and if they receive the minimum wage (around EUR 2,000 gross plus special payments).

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2.3 . FAMILY REUNIFICATION

There were no developments in this area during 2013.

2.4 . INTEGRATION

The third annual Integration Report was published in August 2013[8]. Overall, the report provides: recommendations for future integration activities, latest integration statistics and best integration practices in Austria. Altogether, a total number of 171 integration projects were founded in 2013 under the European Integration Fund, European Refugee Fund and under national integration Funds.

Austrian integration policies follow the concept of "integration from the beginning". As one measure, the Federal Ministry of the Interior (MoI) has **deployed an integration commissioner to the Austrian embassy in Ankara** to provide pre-departure information to potential migrants. Also, in 2013 **"Welcome Desks" were opened in five Austrian cities** to facilitate initial integration after arrival in Austria.[9]

Following the amendment of the Citizenship Law 1985 (FLG. I No. 136/2013), as of August 2013, the following groups of persons have **facilitated citizenship**: very well integrated migrants, illegitimate children of Austrian fathers, adoptive children, disabled persons unable to meet the income requirements and non-citizens who were – by mistake – treated as citizens by Austrian authorities for more than 15 years.[10] In addition, it is now possible for very well integrated individuals to obtain the **Austrian citizenship after six years of consecutive legal residency** (previously ten years). At the same time, the citizenship exam was adjusted and a new website was set up to provide related information.[11]

2.5 MANAGING MIGRATION AND MOBILITY[12]

In April 2013 the **Border Control Act was amended** (FLG. I No. 68/2013) entering into force in 2014. The new changes provided the border control personnel with an increased border checks authority. In addition, the Border Control Act was also adapted to the directly applicable Schengen Borders Code (Regulation (EC) No. 562/2006).

3. International Protection and Asylum

In 2013 **a new working group of the Federal Government-Province Coordination Council** was established to work on common quality criteria for reception facilities across Austria. In March 2013 the FMLSC issued a decree allowing asylum seekers up to the age of 25 (previously 18) to take up vocational training in occupations where there is a shortage of apprentices.[13]

All preparatory work regarding the establishment of the Federal Office for Immigration and Asylum were finalised in 2013. As from 1st of January 2014, **the Federal Office and the central Federal Administrative Court would be established.** The Federal Office would be the single authority competent for first instance asylum procedures, alien police matters and humanitarian stay, while the Court will deal with all appeals against decisions of the Federal Office.[14]

During 2013, **Austria increased its humanitarian aid for Syria** and the affected neighbour countries by means from the Foreign Catastrophe Fund. By the end of October 2013, Austria had invested a total of 7.4 million euro.[15] In addition, in September 2013, Austria decided to **grant asylum to 500 Syrian refugees**, focusing on admitting particular vulnerable persons.[16]

4. Unaccompanied Minors and other Vulnerable Groups

Following the transposition of the Qualification Directive (2011/95/EU), in 2013, Austria started developing internal guidelines for caseworkers on family tracing. Cooperation was also enhanced with the European Asylum Support Office (EASO) on this matter which has directly contributed to the development of such guidelines.

Several projects focusing on Unaccompanied Minors (UAMs) were implemented in 2013. For example, the International Organization for Migration (IOM) project "Cultural Orientation Trainings for Unaccompanied Minor Refugees – CulTrain"[17] or a project implemented by the UNHCR in cooperation with the Federal Asylum Office on assisting authorities in developing their

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[8] State Secretariat for Integration, *Integrationsbericht 2013*, August 2013, available at: www.bmeia.gv.at/aussenministerium/integration/integrationsbericht.html.

[9] Austrian Integration Fund, available at http://www.ots.at/presseaussendung/OTS_20130812_OTS0145/sts-sebastian-kurz-und-oesterreichischer-integrationsfonds-eroeffnen-oesterreich-zentrum-welcome-desk-in-graz.

[10] Amendments to the Citizenship Law 1985, Preamble, available at: www.parlament.gv.at/PAKT/VHG/XXIV/I/I_02303/fname_302601.pdf.

[11] www.staatsbuergerschaft.gv.at.

[12] "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

[13] Federal Ministry for Labour, Social Affairs and Consumer Protection, available at: www.wko.at/Content.Node/branchen/ooe/Altersgrenze_fuer_jugendliche_Asylwerber.pdf.

[14] Federal Ministry of the Interior, available at: www.bfa.gv.at/files/broschueren/BFA-Folder-en-V23052014-web.pdf.

[15] Federal Ministry for Europe, Integration and Foreign Affairs, available at: www.ots.at/presseaussendung/OTS_20131025_OTS0217/spindelegger-kuendigt-unterstuetzung-armeniens-bei-der-versorgung-von-fluechtlingen-aus-syrien-an.

[16] Federal Ministry of the Interior, available at: www.bmi.gv.at/cms/cs03documentsbmi/1417.pdf.

[17] For further information see www.iomvienna.at/en/aktivitaeten/integration/laufende-projekte.

procedures for processing asylum procedures of UAMs (UBAUM). Both projects were co-funded by the European Refugee Fund and the MoI.

5. Actions against Trafficking in Human Beings

Amendments to the Law Governing Sexual Offences (FLG. I No. 116/2013) entered into force on 1st August 2013. The amendments aimed to transpose the Directive on Trafficking in human beings (2011/36/EU) as well as the Directive to combat sexual abuse and sexual exploitation of children and child pornography (2011/93/EU). Overall, the amendments have **widened the definition of "trafficking in human beings"** to include: exploitation through organ extraction, labour exploitation, exploitation of begging and exploitation to commit crimes. The **penalties for the offence were also increased**, providing a maximum prison sentence of up to five years, while human trafficking of minors will be punished by a prison sentence from one to ten years.

Also in 2013, the Task Force Human Trafficking[18] organised different public events. For example, an exhibition titled "Human Trafficking – Slavery in the 21st Century" and the event titled "Joining Forces against Human Trafficking". The latter focused on the topic of human trafficking for the purpose of labour exploitation.

Finally, **a new working group on Trafficking for the Purpose of Labour Exploitation was established** in 2013 within the national Task Force Human Trafficking. Participants include NGOs, Social Partners and international organisations.

6. External Dimension of EU Migration Policy

In 2013, the **Austrian Development Agency (ADA) also focused** its 2013 development communication and educational work **on migration and development**. The latter funded NGO initiatives aimed at raising awareness about the reasons for and the consequences of international migration among the Austrian public.

In December 2013, the Working Group on Migration and Development, a group consisting of several NGOs, church-based aid organisations and international organisations in Austria, launched a **"Position Paper on Migration and Development"**, bringing forward some recommendations for state and non-state actors.

7. Irregular Migration

A **Memorandum of Understanding** was signed in March 2013 **with the Czech Republic** to strengthen the cooperation in five particular areas, including **policing measures and mixed patrols in the common border areas**. Austria also participated in seven Frontex Joint Operations in 2013.

In April 2013, the second generation of the Schengen Information System (SIS II) started operating in Austria. During the same period, the MoI agreed together with the municipality of Vordernberg (Styria) on the operational services **of a new detention centre in Vordernberg.** The new detention centre would be operational in early 2014.[19]

Voluntary return was treated as the preferred alternative to forced returns. IOM provided assistance to a total of 2,896 voluntary returnees in 2013. Several reintegration projects were also implemented under the Ministry of Interior funding and under the European Return Fund. Also in 2013, Austria held discussions and cooperation visits on return and reintegration measures with Afghanistan, Morocco, Pakistan and the Russian Federation.

Finally, in 2013 the Federal Criminal Intelligence Service published its **2012 Annual report on migrants smuggling**[20]. According to the report, in 2012 the number of apprehended smugglers represented 18% less than in 2011, on the other hand, the number of apprehended smuggled migrants increased during the same time period by 26%.

8. Provision and Exchange of Information to support Policy Development

Austria continued to provide and exchange information as well as to support policy development at EU level by actively participating in the European Migration Network (EMN), through the facilitation of information, developing studies, answering of ad-hoc queries or organising meetings and conferences at the national level.
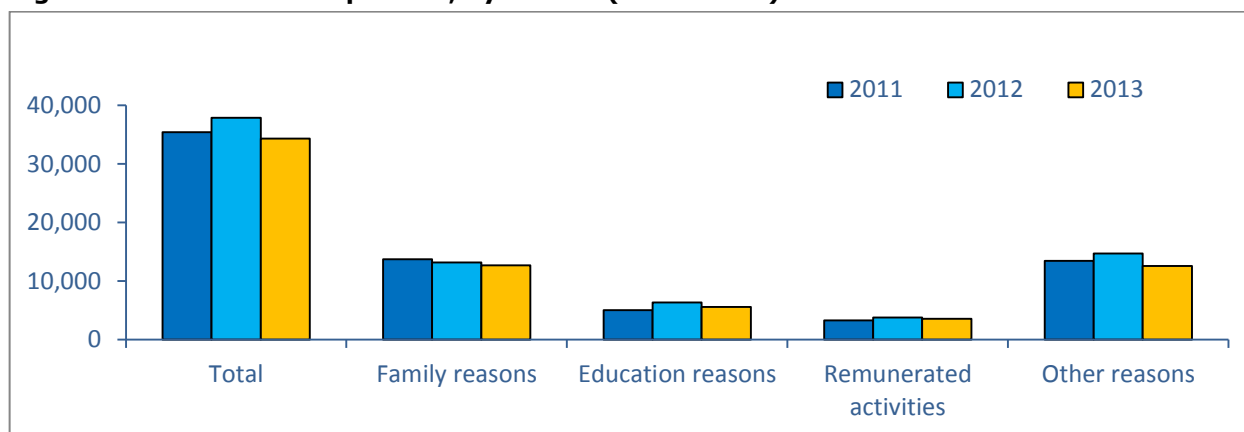
STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Austria on aspects of migration and asylum (2011-2013), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

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[18] The Task Force Human Trafficking is coordinated by the Federal Ministry for Europe, Integration and Foreign Affairs. For further information see www.bmeia.gv.at/aussenministerium/aussenpolitik/menschen rechte/schwerpunktthemen/kampf-gegen-menschenhandel.html.

[19] Federal Ministry of the Interior, available at: www.bmi.gv.at/cms/BMI/_news/BMI.aspx?id=793877505145 776F4A52413D&page=56&view=1.

[20] Report available at: www.bmi.gv.at/cms/BK/publikationen/files/Schlepperbericht_2012.pdf

Statistical Annex: Immigration and Asylum in Austria (2011-2013)

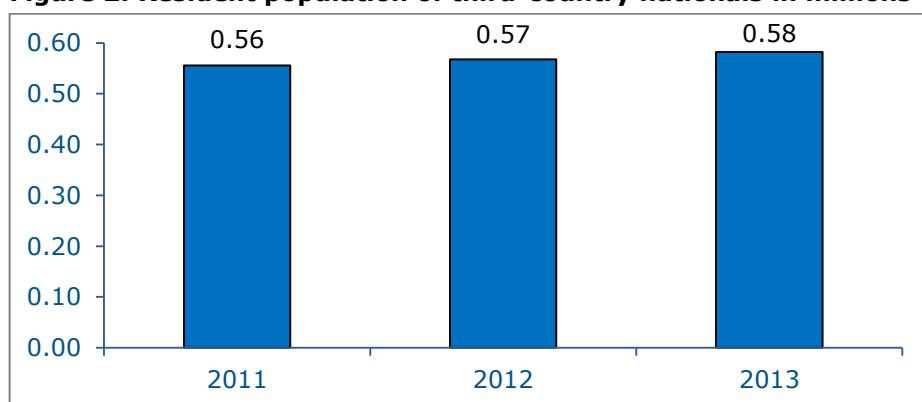**Figure 1: First residence permits, by reason (2011-2013)**

Source: Eurostat (migr_resfirst), extracted 28 July 2014

Table 1: First residence permits: Top five third-country nationalities (2011 – 2013)

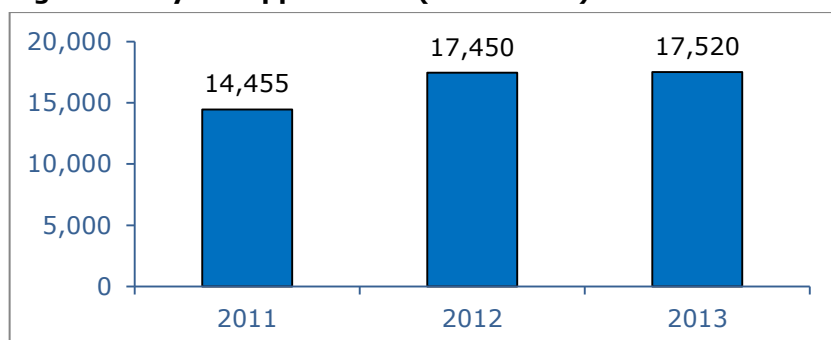| 2011	2012	2013
1. Turkey – 4,763	**1. Turkey** – 4,581	**1. Serbia** – 4,120
2. Serbia – 3,944	**2. Serbia** – 4,205	**2. Turkey** – 4,036
3. Russia – 2,886	**3. Bosnia and Herzegovina** – 3,077	**3. Bosnia and Herzegovina** – 3,603
4. Bosnia and Herzegovina – 2,459	**4. Russia** –2,953	**4. Russia** – 2,443
5. Kosovo – 1,988	**5. Kosovo** – 2,198	**5. Afghanistan** – 2,201

Source: Eurostat migration statistics (migr_resfirst), extracted 28 July 2014

Figure 2: Resident population of third-country nationals in millions (2011-2013)

Source: Eurostat migration statistics (migr_pop1ctz), extracted 4 June 2014

Figure 3: Asylum applications (2011-2013)

Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 2: Asylum applications: Top five third-country nationalities (2011–2013)

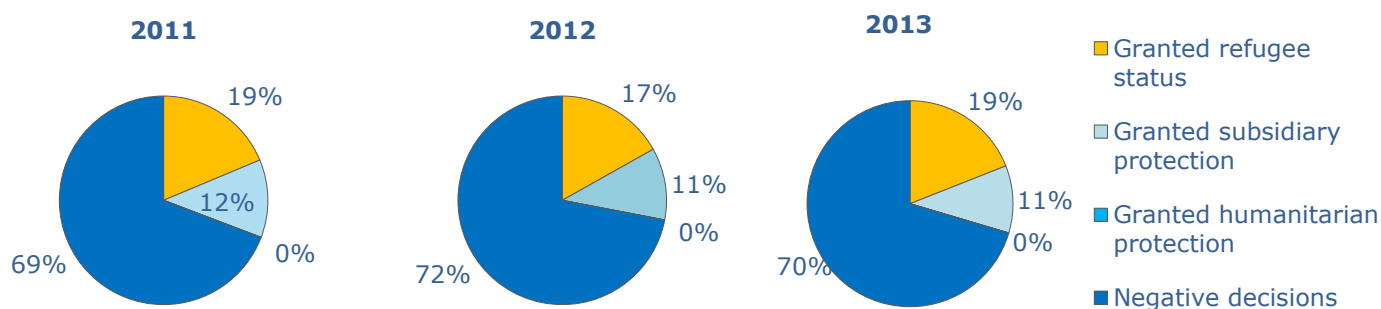| 2011	2012	2013
1. Afghanistan – 3,630	**1. Afghanistan –** 4,015	**1. Russia –** 2,850
2. Russia – 2,325	**2. Russia –** 3,110	**2. Afghanistan –** 2,590
3. Pakistan – 950	**3. Pakistan-** 1,825	**3. Syria -** 2,005
4. Somalia – 615	**4. Syria –** 930	**4. Pakistan –** 1,035
5. Iraq – 485	**5. Iran –** 765	**5. Algeria –** 945

Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 3: Asylum applications - First instance decisions by outcome (2011-2013)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	**Subsidiary protection**	**Humanitarian reasons**	
2011	13,270	4,085	2,480	1,605	*N/A*	9,185
2012	15,905	4,460	2,680	1,775	*N/A*	11,445
2013	16,640	4,920	3,165	1,760	*N/A*	11,720

Source: Eurostat migration statistics (migr_asydcfsta), extracted 4 June 2014

Figures 4-6: Asylum applications - First instance decisions by outcome (2011-2013)

Source: Eurostat migration statistics (migr_asydcfsta), extracted 4 June 2014

Table 4: Third-country nationals relocated and resettled (2011-2013)

	2011	2012	2013
Third-country nationals resettled	*N/A*	*N/A*	*N/A*

Source: Eurostat migration statistics (migr_asyresa), extracted 4 June 2014

Figure 7: Unaccompanied minors (2011-2013)

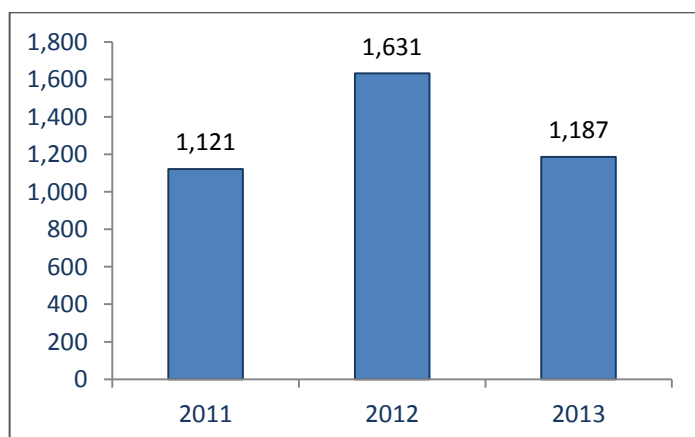

Table 4: Unaccompanied minors (2011-2013)

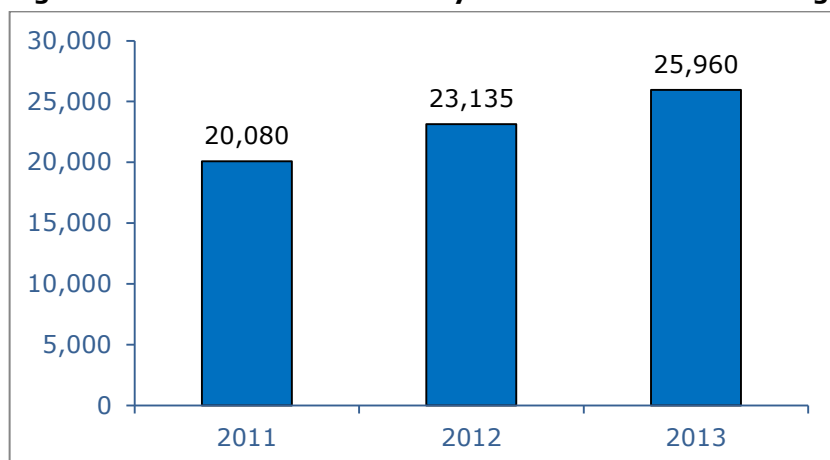|	2011	2012	2013
Unaccompanied minors (total)[21]	1,121	1,631	*1,187***
Unaccompanied minors not applying for asylum	*N/A*	*N/A*	*N/A*
Unaccompanied minor asylum applicants*	1,005	1,375	935

*Source: National contributions to EMN Annual Policy Report; *Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) [migr_asyunaa], extracted on 12 March 2014; **Information obtained from the EMN 2013 APR – National Report Part 2.*

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[21] The total number only refers to asylum-seeking unaccompanied minors, as Austria only collects the number of unaccompanied minors who lodged an asylum application.

Table 5: Number of third-country nationals refused entry at external borders (2011 – 2013)

	2011	2012	2013
Third-country nationals refused entry at external borders	445	245	360

Source: Eurostat migration statistics (migr_eirfs), extracted 4 June 2014

Figure 8: Number of third-country nationals found to be illegally present (2011 – 2013)

Source: Eurostat migration statistics (migr_eipre), extracted 4 June 2014

Table 6: Third-country nationals returned (2011-2012)

	Third-country nationals ordered to leave	Returned as part of forced return measures[22]	Returned voluntarily [23]	Returned through an Assisted Voluntary Return Programme[24]
2011	8,520	2,190	3,040	2,880
2012	8,160	1,853	3,209	2,601
2013	10,085	512*	3,095*	2,896**

*Source: Eurostat migration statistics (migr_eiord), extracted on 13 June 2014 and National contributions to EMN Annual Policy Report; * Information obtained from the 2013 APR National Statistical Contributions to the EMN; ** Information obtained from the EMN 2013 APR – National Report Part 2.*

Table 7: Number of visas issued by type (2011 – 2013)

	2011	2012	2013
Total visas	290,755	295,567	NA
Schengen visa (short-stay visas)	270,542	294,768	297,365
National visa	20,215	799	22,735

Source: National contributions to EMN Annual Policy Report and EMN, A Descriptive Analysis of the Impacts of the Stockholm Programme 2010-2013

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[22] The number of forced return measures refers only to deportations but no forcible returns (Zurückschiebung) nor rejections at the border (Zurückweisung); the number of 2012 also includes EU nationals.
[23] The number of 2012 also includes EU nationals.
[24] The figures provided only refer to those returned through an Assisted Voluntary Return Programme of the International Organization for Migration, Country Office for Austria, and also include EU nationals.