

AUSTRIA

EMN COUNTRY FACTSHEET

2017

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



LEGAL MIGRATION AND MOBILITY

Austria implemented the 2017 **Act Amending the Aliens Law** with major changes to the legislation affecting legal migration and mobility, such as the **Settlement and Residence Act**. In addition, the **Act Governing the Employment of Foreigners** was amended.

PROMOTING LEGAL MIGRATION CHANNELS

With regard to measures to improve the provision of information on the routes to and conditions of legal migration for third-country nationals, Austria launched an initiative on voluntary return (see section 7).

Further, with regard to information provided to students and researchers, Austria [completed the first set of educational qualification levels](#) within the [National Qualifications Framework](#) (NQF) with the aim to enhance the transparency and comparability of Austrian qualification levels and allow greater mobility among trainees, students and teaching staff, thereby helping to create a common European Education Area.

ECONOMIC MIGRATION

Parallel to the 2017 Act Amending the Aliens Law, the **Act Governing the Employment of Foreigners** was modified to facilitate the admission and labour market integration of qualified workers from third countries under the Red-White-Red Card. The changes included:

¹ Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer, OJ 2014 L 157/1.

KEY POINTS



Implementation of the 2017 Act Amending Aliens Law with profound changes to the Austrian migration system.



Implementation of the Integration Act with the aim to facilitate and accelerate the integration of persons granted asylum and beneficiaries of subsidiary protection.



The new Integration Year Act allows persons granted asylum, beneficiaries of subsidiary protection and asylum seekers, who will likely receive protection status, to participate in programmes to prepare for labour market entry.

- Higher rating of language competence and professional experience to allow older skilled workers from third countries to enter the labour market;
- Extending the validity period from one to two years;
- Enabling start-up founders to obtain a Red-White-Red card.

Further, two new types of temporary residence permits were introduced in the course of the 2017 Act Amending the Aliens Law and as part of implementing Directive 2014/66/EU (ICT Directive):¹

- Temporary Residence Permit for Intra-Corporate Transferees (ICTs); and
- Temporary Residence Permit for Mobile Intra-Corporate Transferees (mobile ICTs).

Directive 2014/36/EU (Seasonal Workers Directive)² was implemented as part of the 2017 [Act Amending the Aliens Law](#), with the introduction of a new Visa D for seasonal workers that is valid for a maximum period of nine months. Also, following the implementation of the Seasonal Workers Directive, seasonal workers from third-countries generally exempt from visa requirements must apply for a Visa C or a Visa D.

FAMILY REUNIFICATION

With the introduction of the 2017 Act Amending the Aliens Law, the rules on family reunification were simplified:

- Family members of persons granted asylum who apply for the Red-White-Red Card Plus are not subject to the requirement to provide evidence of proficiency in German;
- Family members of third-country nationals holding a Settlement Permit for researcher are able to apply for a Red-White-Red Card Plus, giving them unrestricted access to the labour market.

MANAGING MIGRATION AND MOBILITY

Austria extended controls at the internal borders with Hungary and Slovenia until November 2017. These were later prolonged until 10 May 2018.



INTERNATIONAL PROTECTION INCLUDING ASYLUM

Various changes affecting the procedure for granting international protection were introduced by the 2017 Act Amending the Aliens Law, including obligations for the asylum seekers to cooperate in the procedure. For example, by providing any available medical records and examination results where these are relevant for assessing this person's special needs.

Furthermore, a **residence restriction** was introduced stating that asylum seekers must establish residence in the province that provides the benefits specified in the Basic Welfare Support Agreement. Additionally, the Federal Office for Immigration and Asylum may now require applicants to reside at designated

accommodation until the asylum procedure is completed with final effect. It can be imposed on grounds of public interest or public order, as well as to ensure the expeditious processing and effective monitoring of the application for international protection. Asylum seekers whose asylum procedure has been ongoing for a minimum of three months are now **allowed to be employed** without a work permit to perform "typical household duties in private households". Asylum seekers may additionally perform community work services.

In compliance with Directive 2008/115/EC (Return Directive) the normal maximum period of detention pending removal was increased to three months for minors aged 14 and above, and to six months (previously four months) for adults. Furthermore, in exceptional cases, the maximum possible period of detention was also increased from 10 months to 18 months.³ In the framework of the Dublin procedure, Austria continues to refrain from transfers to Hungary.

Regarding **special procedures**, the new 2017 Act Amending the Aliens Law now requires under certain circumstances an accelerated procedure of no more than one month for withdrawing the asylum status of individuals convicted of a criminal offence.

The number of pending procedures in the first instance was [reduced](#) to 31 487 throughout 2017 and thus by more than half.⁴ The Federal Office for Immigration and Asylum [foresees](#) that the backlog of asylum applications awaiting processing should be completed by mid-2018.

Looking at **relocation**, with the assistance of the International Organization for Migration, 17 individuals had been relocated from Italy to Austria by December 2017. Through the **national humanitarian admission programmes**, a total of 1 902 especially vulnerable Syrian refugees have been admitted to Austria in 2017.



UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

No policy developments were reported in 2017.

However, the Federal Ministry of Interior and the Federal Office for Immigration and Asylum conducted

² Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, OJ 2014 L 94/375.

³ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ 2008 L 348/98.

workshops to i) **raise awareness of issues related to the protection of children and youth in refugee accommodation facilities**, and ii) on the topic of **conducting interviews with minors**. Additionally, the Austrian Integration Fund developed a **separate youth curriculum for unaccompanied minors** between 15 and 18 years of age. In this special programme, young people are instructed about topics including the Austrian school system and managing their personal finances.



INTEGRATION

Major parts of the new Integration Act became effective as of June 2017, one effect of which was the initial creation of a **central framework for integration measures**. The act is intended to facilitate and accelerate the integration of persons granted asylum and beneficiaries of subsidiary protection aged 15 and over as well as legally residing third-country nationals. Among the items specified in the act, German language courses as well as values and orientation courses are compulsory. The Act requires persons granted asylum and beneficiaries of subsidiary protection to sign an **integration declaration**, thereby committing themselves to comply with the fundamental values of the legal and social system (declaration of values) and to attend, participate in and complete the German language and values courses provided. The aim of the Integration Act is promoting and demanding integration, whereas both aspects are built on an institutional and structured basis. The Integration Act follows a holistic approach: It defines the integration process with **distinct responsibilities on the part of the state and concrete integration steps on the part of immigrated persons**.

The new Integration Act is supplemented by the **Integration Year Act**. The latter, which entered into force in September 2017, allows persons granted asylum, beneficiaries of subsidiary protection and asylum seekers who will most likely receive protection status to participate in programmes to prepare for labour market entry.



IRREGULAR MIGRATION

As part of the 2017 Act Amending the Aliens Law, more heavily punishable administrative offences were introduced in the Aliens Police Act for specifically defined cases of illegal entry or stay.

In 2017, Austrian police officers participated in various **Frontex Joint Operations**. Also, the deployment of

Austrian armed forces staff to assist along the Hungarian-Serbian border was extended until the end of 2017. At Europol, Austria will take the lead in combating criminal smuggling and irregular migration in 2018.

To counteract irregular migration, new initiatives were launched and cooperative efforts were continued in 2017. These activities included a conference entitled **Managing Migration Challenges Together (MMCT)**, where interior and defence ministers of, inter alia, the Salzburg Forum member countries agreed on the preparation of a joint action plan, which foresees measures that include sharing information on irregular migration along the Western Balkan route and improving the ability to respond to any new increase in migration within the region. Participants also resolved to continue to provide assistance to border protection work, both with Frontex and, under bilateral agreements, with countries such as Hungary. Furthermore, the 13th conference of the **Central Asia Border Security Initiative** was held in Vienna in October 2017. The topics discussed included enhancing border security and improving migration management.



RETURN

The 2017 Act Amending the Aliens Law introduced changes in return policy. Examples include the new requirement that foreigners obliged to leave Austria can be ordered to procure their **travel documents** independently. Where a return decision or order of removal from the country is issued with final effect, authorities now have the option of requiring the individual affected to reside at **designated accommodation**. The list of cases potentially resulting in an entry ban was expanded and the decisive degree of penalties was reduced.

With regard to voluntary return, a total of **5 064 individuals departed voluntarily** for their home countries in 2017, of which 3 152 individuals returned through voluntary return programmes.

Several initiatives were launched with the aim of encouraging the voluntary return of third-country nationals to their countries of origin. Alongside the special initiative entitled **“1 000 euros for 1 000 people”**, which ended 31 December 2017, the Federal Office for Immigration and Asylum also set up a new return assistance programme based on the principle of providing more assistance benefits to asylum seekers who return to their countries of origin.

Furthermore 763 individuals were [returned](#) in 83 charter operations (flight or bus) to a total of 18 destinations, some in [cooperation with other countries](#).



ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS

The **fourth National Action Plan on Combating Human Trafficking** in 2015–2017 was completed in 2017. The implementation report, including a new fifth National Action Plan for 2018–2020, is scheduled to be adopted in 2018.

The Federal Ministry of the Interior is also preparing a decree aimed at ensuring victims' rights throughout Austria.



MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

In July 2017 the Federal Government pledged to make € 3 million available for the **North Africa Window of the EU Emergency Trust Fund (EUTF) for Africa**, for the purpose of combating the root causes of irregular migration. Alongside the contributions to the EUTF, a total of 42 new cases of funding in 2017, amounting to roughly € 32 million, were approved for migration and development.

STATISTICAL ANNEX

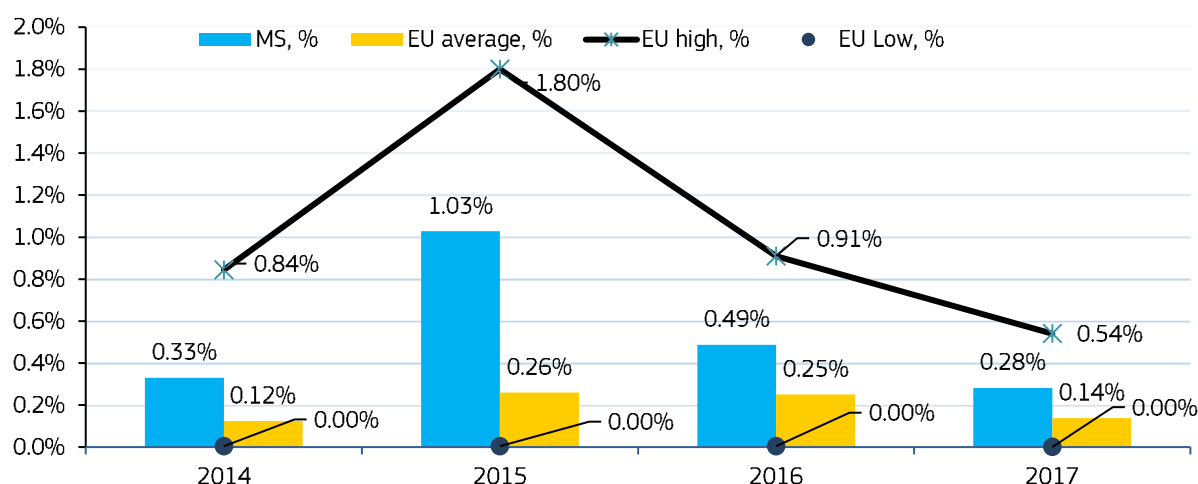
The Statistical Annex provides an overview of the latest available statistics for Austria on aspects of migration and international protection (2014–2017), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as “N/A”.

STATISTICAL ANNEX: MIGRATION AND ASYLUM IN AUSTRIA (2014-2017)



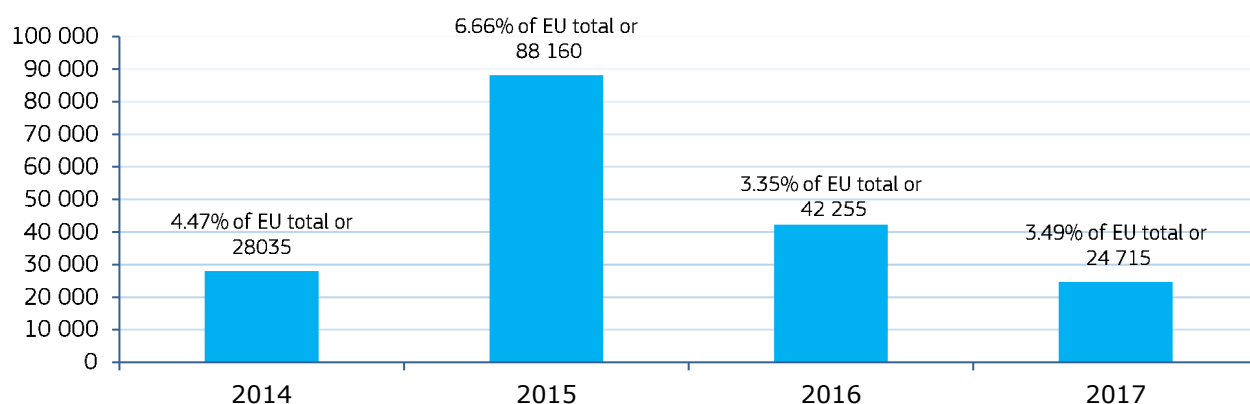
INTERNATIONAL PROTECTION AND ASYLUM

Figure 1: Asylum applications as a share of the total population in Austria, EU average and EU high and low (2014-2017)



Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 30.03.18

Figure 2: Number of asylum applications in Austria and as a share of the total number of applications in the EU (2014-2017)



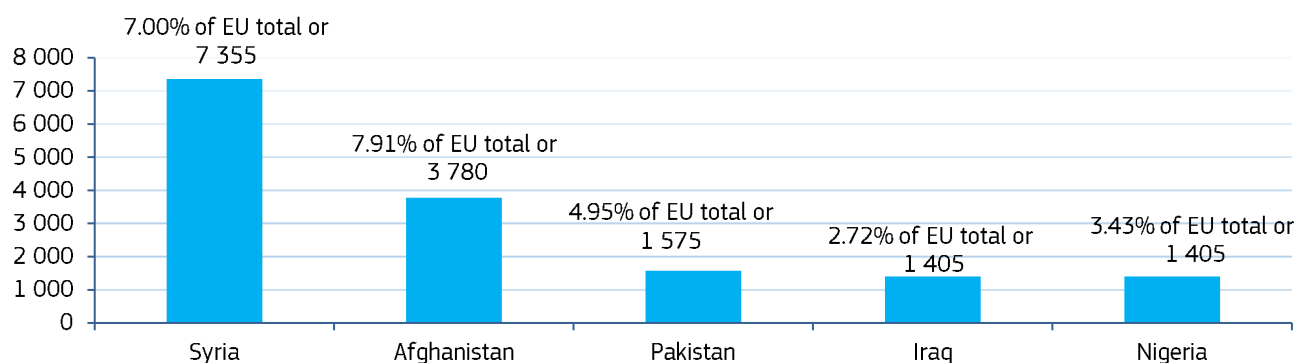
Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 30.03.18

Table 1: Asylum applications in Austria: Top five third-country nationalities (2014-2017)

2014			2015			2016			2017		
Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total	Nationality	No.	% of total
Syria	7 730	28%	Afghanistan	25 265	29%	Afghanistan	11 795	28%	Syria	7 355	30%
Afghanistan	5 075	18%	Syria	25 015	28%	Syria	8 775	21%	Afghanistan	3 780	15%
Russia	1 995	7%	Iraq	13 545	15%	Iraq	2 860	7%	Pakistan	1 575	6%
Kosovo	1 905	7%	Iran	3 430	4%	Pakistan	2 495	6%	Iraq	1 405	6%
Stateless	1 135	4%	Pakistan	3 035	3%	Iran	2 460	6%	Nigeria	1 405	6%

Source: Eurostat migration statistics ([migr_asyappctza](#)), data extracted 30.03.18

Figure 3: Asylum applications: Top five third-country nationalities as a share of EU totals per given nationality (2017)



Source: Eurostat migration statistics ([migr_asypoctza](#)), data extracted 30.03.18

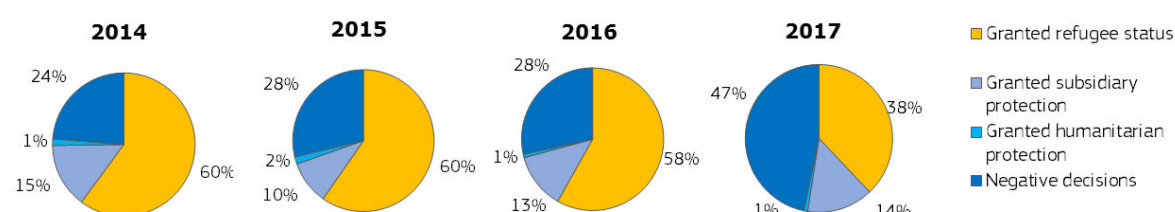
Note: the figure reads as: Austria received 7 375 asylum applications from Syria or 7.02% of all asylum applications launched by Syria in EU in 2017.

Table 2: Asylum applications - First instance decisions by outcome in Austria (2014-2017)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2014	9 405	7 175	5 655	1 380	140	2 230
2015	21 095	15 045	12 590	2 100	355	6 050
2016	42 415	30 370	24 685	5 355	330	12 045
2017	56 285	30 000	21 335	8 195	470	26 285

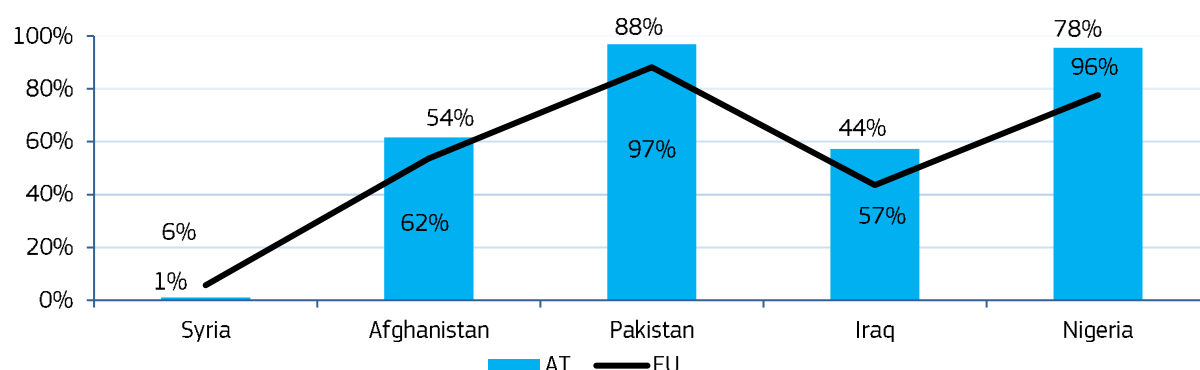
Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 30.03.18

Figure 4: Asylum applications in Austria - First instance decisions by outcome (2014-2017)



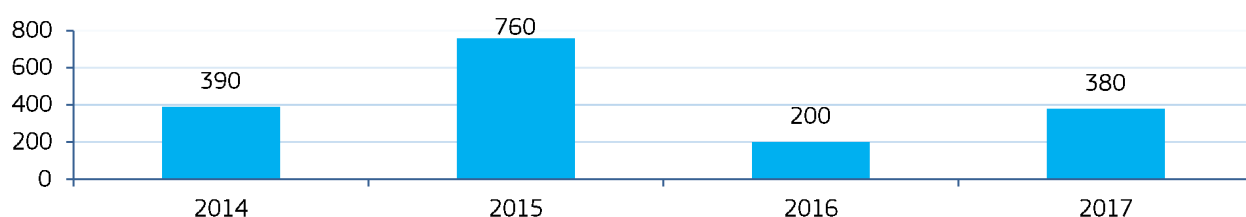
Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 30.03.18

Figure 5: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2017)



Source: Eurostat migration statistics ([migr_asydcfsta](#)), data extracted 30.03.18

Figure 6: Third-country nationals resettled to Austria (2014-2017)



Source: Eurostat migration statistics ([migr_asyresa](#)), data extracted 02.05.18



2. UNACCOMPANIED MINORS

Figure 7: Unaccompanied minors applying for asylum (2014-2017)

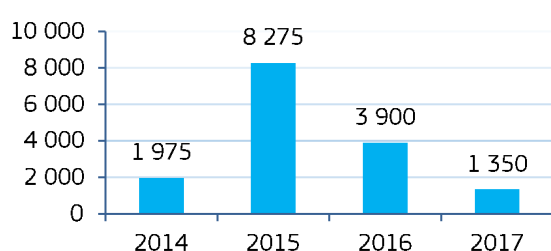


Table 3: Unaccompanied minors (2014-2017)

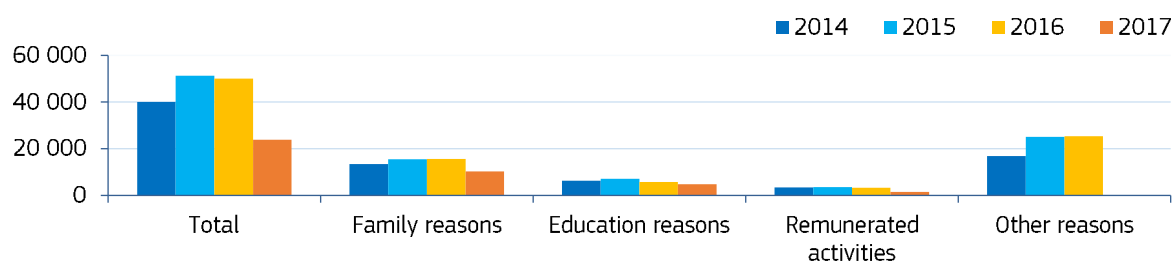
	2014	2015	2016	2017
Unaccompanied minors (total)		n/a		
Unaccompanied minor asylum applicants	1 975	8 275	3 900	1 350

Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) ([migr_asyunaa](#)), data extracted 04.04.18; EMN NCPs



3. LEGAL MIGRATION AND MOBILITY

Figure 11: First residence permits, by reason (2014-2017)



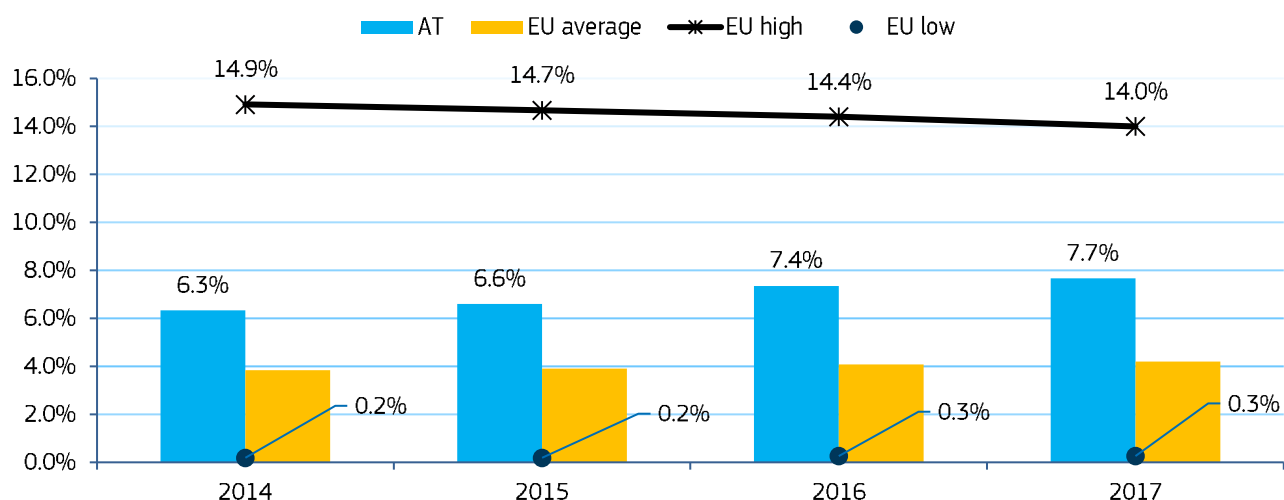
Source: Eurostat ([migr_resfirst](#)), data extracted 24.07.18; data for 2017 provided by EMN NCP ('other reasons' for 2017 n/a).

Table 4: First residence permits: Top five third-country nationalities (2014-2017)

2014		2015		2016		2017	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
Serbia	4 660	Syria	8 424	Syria	8 391	n/a	n/a
Bosnia and Herzegovina	4 057	Serbia	5 288	Serbia	5 018	n/a	n/a
Syria	3 946	Bosnia and Herzegovina	4 520	Bosnia and Herzegovina	4 060	n/a	n/a
Turkey	3 732	Turkey	3 961	Turkey	3 939	n/a	n/a
Afghanistan	3 312	Afghanistan	3 606	Afghanistan	3 673	n/a	n/a

Source: Eurostat migration statistics ([migr_resfirst](#)), data extracted 24.07.18. Data for 2017 not available at time of publication.

Figure 9: Resident population of third-country nationals as a share of total population in Austria, EU average, EU high and low (2014-2017)



Source: Eurostat migration statistics ([migr_pop1ctz](#)), data extracted 30.03.18



4. IRREGULAR MIGRATION AND RETURN

Table 5: Number of third-country nationals refused entry at external borders (2014–2017)

Third country nationals:	2014	2015	2016	2017
Refused entry at external borders	455	560	460	740
Found to be illegally present	33 055	86 220	49 810	26 660
Ordered to leave	:	9 910	11 850	8 850
Returned following an order to leave	2 480	5 275	6 095	6 115

Source: Eurostat migration statistics ([migr_eirfs](#))([migr_eipre](#))([migr_eiord](#))([migr_eirtn](#)) data extracted 02.05.18

Table 6: Third-country nationals returned by Austria (2014-2017)

Year	Returned as part of forced return measure	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2014	n/a	n/a	n/a
2015	n/a	n/a	n/a
2016	n/a	n/a	n/a
2017	6 923	5 198	3 229

Source: EMN NCPs



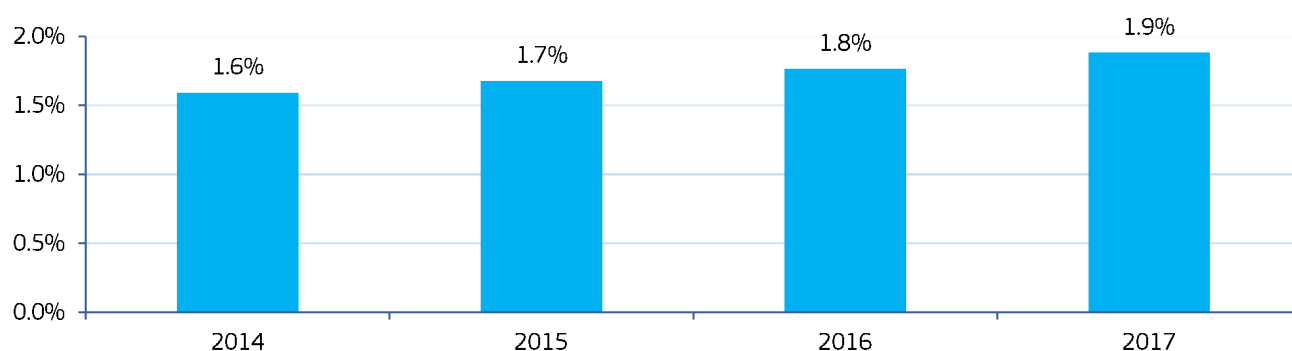
5. SECURING EUROPE'S EXTERNAL BORDERS

Table 7: Number of Schengen visas applications (2014–2017)

	2014	2015	2016	2017
Uniform visas (short-stay visas)	266 356	259 167	268 388	304 556

Source: DG Migration and Home Affairs – Complete statistics on short-stay visas issued by the Schengen States

Figure 13: Uniform visa applications received in Austria as a share of the total number of uniform visa applications in all Schengen states consulates (2014-2017)



Source: DG Migration and Home Affairs – Complete statistics on short-stay visas issued by the Schengen States

Table 8: Top five countries in which the highest number of visa applications for Austria were lodged (2014-2017)

2014		2015		2016		2017	
Country	Number	Country	Number	Country	Number	Country	Number
Russia	82 170	Russian Federation	45 020	China	63 469	China	69 948
China	27 356	China	36 705	Russian Federation	38 617	Russian Federation	43 826
Ukraine	22 510	Turkey	22 896	Turkey	40 105	India	31 045
Turkey	17 988	Ukraine	19 583	India	26 844	Thailand	19 266
India	15 062	India	19 368	Ukraine	22 472	Ukraine	19 007

Source: DG Migration and Home Affairs