

# Displaced Persons from Ukraine

Summarizing Overview of Austrian  
Measures in the Period February 2022  
to June 2023

EMN Austria

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# I INTRODUCTION

The Russian war of aggression in Ukraine, which began in February 2022, triggered the fastest and largest displacement in Europe since the Second World War (United Nations, 2022). By the end of June 2023, more than 6.2 million people (UNHCR, 2023) had left Ukraine due to the war and sought protection and safety not only in neighbouring countries but also further beyond. In June 2023, the majority of displaced Ukrainians, numbering more than 4 million people, were living in the 27 EU Member States (Eurostat, n.d.a). The European Union responded to this development by activating the EU Temporary Protection Directive<sup>1</sup> for the first time. On 4 March 2022, the Council of the European Union adopted the implementing decision<sup>2</sup> to apply this directive to persons displaced from Ukraine (Federal Ministry of the Interior, 2022f). Furthermore, in Austria, a raft of measures was put in place to facilitate the provision of protection and care to the large number of displaced Ukrainians.

Over the past two years, the European Migration Network (EMN) has actively addressed the issue of displaced persons from Ukraine and the measures taken by EU Member States. It has published its findings in various formats, including reports, studies and ad hoc queries.<sup>3</sup> Through these publications and, in particular, the EMN Annual Report on Migration and Asylum 2022 and the national contribution to the EMN study “The Application of the Temporary Protection Directive – Challenges and Good Practices in 2023”, EMN Austria has provided a comprehensive presentation of Austrian measures and challenges in 2022 and the first half of 2023. This summarizing overview presents the key findings of these publications and highlights current challenges.

This summarizing overview is based on the Austrian EMN Annual Report on Migration and Asylum 2022 (Stiller, 2023), and on the national contribution to the EMN study entitled “The Application of the Temporary Protection Directive – Challenges and Good Practices in 2023” (EMN Austria, 2023b), which presents developments in Austria in the first half of 2023. The two publications were prepared by the National Contact Point Austria in the EMN as part of the EMN Work Programmes 2021–2022 and 2023–2025 respectively.

To facilitate comparison of the findings from all Member States, the above publications were each produced according to a common study template, which included a predefined list of questions developed by the EMN. The following sources of information were used to prepare the two publications: legislative texts (draft and enacted legislation), national and international publications (journals, studies, reports and policy documents), press releases, court judgements, parliamentary debates, websites of the relevant ministries and agencies and other Internet sources, as well as online media articles from major Austrian daily newspapers. In addition, statistics from various sources were used, including from Eurostat, the Federal Ministry of the Interior, the Federal Ministry of Labour and Economy and Statistics Austria.

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1 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. OJ L 212, pp. 12–23.

2 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. OJ L 71, pp. 1–6.

3 For details see European Commission, n.d.

The Austrian EMN Annual Report on Migration and Asylum 2022 was based on the Annual Report 2022 on Migration and Asylum in Austria: Contribution to the Commission and EUAA Annual Reports (EMN Austria, 2023a), which was prepared by EMN Austria in cooperation with the Federal Chancellery, Federal Ministry for European and International Affairs, Federal Ministry of the Interior, Federal Ministry of Labour and Economy and Federal Ministry of Social Affairs, Health, Care and Consumer Protection.

When preparing the national contribution to the EMN study “The Application of the Temporary Protection Directive – Challenges and Good Practices in 2023”, qualitative, semi-structured interviews were conducted with and written statements were obtained from experts from the responsible federal ministries and authorities (Criminal Intelligence Service Austria, Federal Ministry of the Interior, Federal Office for Immigration and Asylum and Ukrainian Refugee Coordination Unit of the Federal Government) and the Country Office for Austria of the International Organization for Migration (IOM) in order to supplement information obtained through secondary research. The national contribution was prepared in close cooperation with the Federal Ministry of the Interior.

Both this summarizing overview and the publications mentioned above were produced by EMN Austria. Special thanks are due to the experts who contributed their knowledge and experience, as well as to Saskia Heilemann (Head of the Policy Research and Migration Law Unit, IOM Country Office for Austria) and Marian Benbow Pfisterer (Head of Office, IOM Country Office for Austria) for their valuable comments. Thanks are also due to the interns at the IOM Country Office for Austria for their support and assistance in the various stages of preparation of the publication.

This summarizing overview was prepared in close cooperation with the Federal Ministry of the Interior.

## 2 RIGHT OF RESIDENCE FOR DISPLACED PERSONS IN AUSTRIA

Immediately after the start of the war in Ukraine on 24 February 2022 and with the increase in refugee movements from Ukraine, Austria took steps to support displaced persons from Ukraine. As part of the newly created EU Solidarity Platform,<sup>4</sup> Austria was the first EU Member State to organize transfers of displaced persons from the Republic of Moldova, which borders Ukraine and has found itself under considerable pressure. In addition, as part of a project by the International Organization for Migration (IOM), Austria received displaced persons from Ukraine's heavily pressurized neighbour Poland.<sup>5</sup> Austria issued the Regulation on Displaced Persons to address the issue of residence.<sup>6</sup> It transposes the implementing decision,<sup>7</sup> which activated the EU Temporary Protection Directive,<sup>8</sup> into national law. The Regulation on Displaced Persons came into force on 12 March 2022 and grants protection to certain categories of people (Art. 1 Regulation on Displaced Persons). Specifically, it covers:

- Ukrainian nationals residing in Ukraine who were displaced from Ukraine due to the armed conflict on or after 24 February 2022;
- Other third-country nationals and stateless persons who enjoyed protection status in Ukraine before 24 February 2022, who were displaced from Ukraine from 24 February 2022 due to the armed conflict; and
- Their family members (spouses, registered partners, minor unmarried children and other close relatives of the persons referred to above who were living under the same roof as these persons before the displacement and were completely or largely dependent on them).

According to Constitutional Court case law, Ukrainian nationals who left Ukraine “not long” before 24 February 2022 and are resident in Ukraine also fall within the scope of the Regulation on Displaced Persons (Constitutional Court, 2023).<sup>9</sup> Under the Regulation on Displaced Persons, these categories of people are granted a temporary right of residence in Austria, which arises ex lege on the basis of the Regulation on Displaced Persons if the relevant requirements are met (Filzwieser et al., 2016:§ 62 KI); hence, there is no need for an administrative decision as justification for their right of residence (Federal Ministry of the

4 In order to support EU Member States in intensifying their efforts to receive displaced persons from Ukraine, the EU Solidarity Platform serves as an operational hub for coordination at European Union level and cooperation with the relevant Ukrainian authorities and contact points. See European Commission, 2022a.

5 In close cooperation with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), 580 displaced persons were brought to Austria from the Republic of Moldova in 20 transfers by March 2024, putting Austria in second place in a European Union comparison. 178 displaced persons were taken in from Poland as part of an IOM project running from 1 June 2022 to 31 May 2023 (Written input: Federal Ministry of the Interior, Department V/B/8 (Asylum) and Federal Office for Immigration and Asylum, 6 March 2024).

6 Regulation of the Federal Government on the Temporary Protection for Displaced Persons from Ukraine, FLG II No. 92/2022.

7 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. OJ L 71, pp. 1–6.

8 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof. OJ L 212, pp. 12–23.

9 Clarity as to which persons are covered by the Regulation on Displaced Persons is of particular relevance for the Federal Office for Immigration and Asylum also with regard to the Dublin III Regulation (Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in one of the Member States by a Third-Country National or a Stateless Person (Recast). OJ L 180, pp. 108–136). Based on Art. 12 and Art. 19 of the Dublin III Regulation, the Federal Office for Immigration and Asylum assumes that Austria is responsible for examining any application for international protection filed in another EU Member State, provided that the person is covered by the Regulation on Displaced Persons and therefore has a temporary right of residence in Austria (Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023).

Interior, 2023e). On the day that the Regulation on Displaced Persons came into force, the newly established registration offices in all nine provincial police directorates began registering displaced persons from Ukraine (Federal Ministry of the Interior, 2022b). Those persons who are registered and fall within the target group of the Regulation on Displaced Persons receive the “ID card for displaced persons” to document the temporary right of residence (Federal Ministry of the Interior, 2022d).

The temporary right of residence in Austria expires *ex lege* (Federal Ministry of the Interior, 2023e) if “the federal territory is not left merely for a short period” (Art. 4 para 3 Regulation on Displaced Persons).<sup>10</sup> In the current view of the Federal Office for Immigration and Asylum, only visits abroad that last a maximum of 90 days within 180 days are classed as a “short period” within the meaning of the Regulation on Displaced Persons. Ultimately, this interpretation of the Regulation on Displaced Persons is also subject to checks by the supreme courts, with the result that there are not yet any administrative practices in place based on the case law of the supreme courts.<sup>11</sup> Unlike beneficiaries of international protection status, who may have their protection status revoked as a result of travelling to their country of origin,<sup>12</sup> trips abroad by displaced persons, including to Ukraine, do not affect the displaced persons’ right of residence in Austria provided that such visits are only “for a short period”.<sup>13</sup> On a practical level, determining whether someone has left Austria only for a short period or whether they have left for good is a major challenge for the Federal Office for Immigration and Asylum.<sup>14</sup> In Austria, border crossings of both displaced persons and beneficiaries of international protection status are monitored as closely as possible (Stiller, 2018:34), especially since there are benefits – particularly in the basic care system – that depend on the recipient residing in Austria. However, border crossings are difficult to track if the Federal Office for Immigration and Asylum does not receive any information about them.<sup>15</sup> Such information is partly brought to the attention of the Federal Office for Immigration and Asylum by the individuals concerned. Sometimes accommodation providers in the basic care system also convey corresponding information. The Federal Ministry of the Interior also performs targeted operations in basic care accommodation in order to check on the presence of persons in the basic care system as well as their need for assistance. In addition to enabling comparison with data from the Central Register of Residents, the Temporary Protection Registration Platform<sup>16</sup> has also proven useful to the Federal Office for Immigration and Asylum in tracking permanent departures to other EU Member States. This platform can provide information on changes of main place of residence of displaced persons, for example where the person concerned has registered in another EU Member State shortly before or after leaving the country.<sup>17</sup> Permanent departures to third countries, on the other hand, are more difficult for the Austrian authorities to trace because traditional investigative methods – such as liaison officers in the countries of destination or police cooperation centres – are not generally used throughout the country, as in many cases the third country to which the permanent departure took place is not known either.<sup>18</sup>

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<sup>10</sup> Upon re-entry to Austria, the right of residence arises again *ex lege*.

<sup>11</sup> Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

<sup>12</sup> For details see Stiller, 2018.

<sup>13</sup> However, it must be noted that leaving the federal territory of Austria may lead to the termination of basic care benefits (see [chapter 3](#)) as well as the receipt of social benefits (see [chapter 7](#)).

<sup>14</sup> Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

<sup>15</sup> *Ibid.*

<sup>16</sup> European Commission platform for the exchange of information on beneficiaries of temporary protection and adequate protection under national law. The platform enables the exchange of information on registered persons between EU Member States in real time, so that displaced persons can effectively benefit from their rights in all Member States and cases of double or multiple registrations and possible abuse can be avoided. See also European Commission, 2022b.

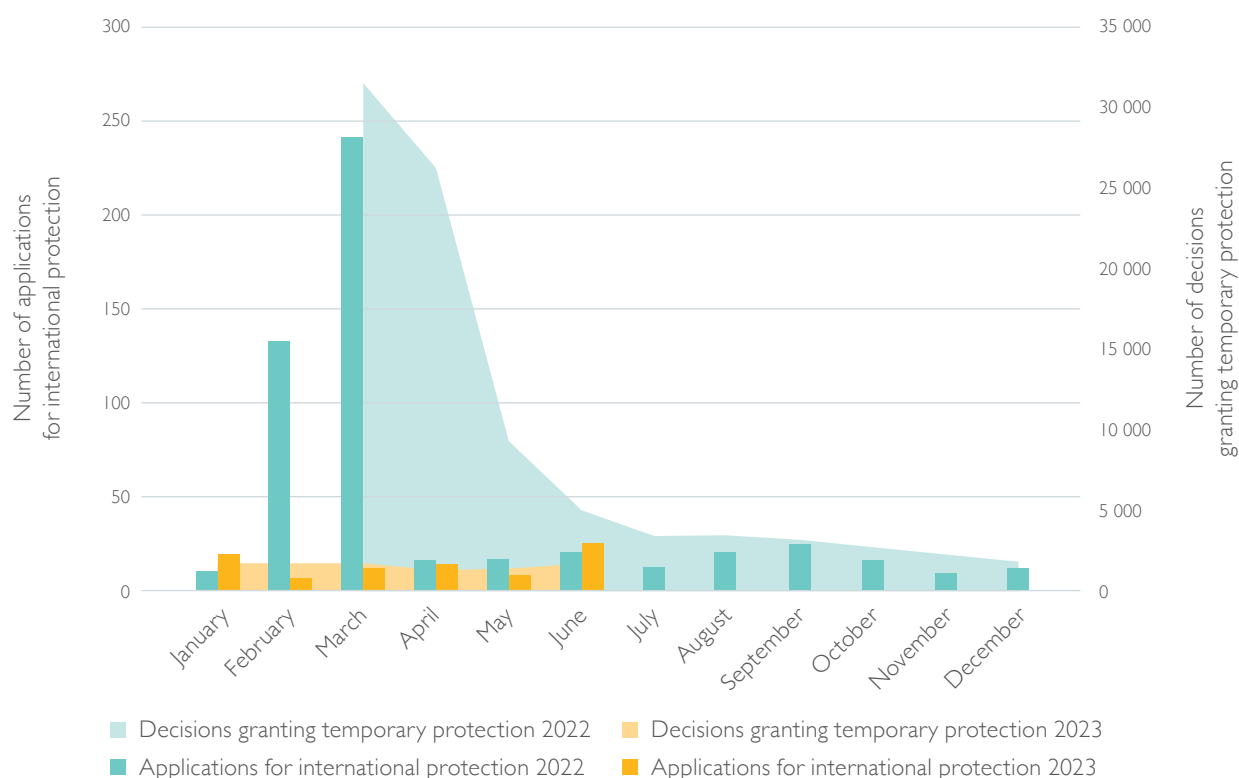
<sup>17</sup> Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

<sup>18</sup> *Ibid.*



If an application for international protection is submitted by an individual who is entitled to a temporary right of residence in Austria under the Regulation on Displaced Persons, this will not be processed for the duration of their right of residence as a displaced person because the statutory time limits have been suspended (Art. 22 para 8 Asylum Act 2005;<sup>19</sup> Federal Ministry of the Interior; n.d.). However, the fact that a suspension of such limits has been introduced does not preclude a legal decision. A decision regarding the application for international protection may therefore still be made even though time limits have been suspended,<sup>20</sup> as international protection status and the temporary right of residence are not mutually exclusive.<sup>21</sup> Applications for international protection from displaced persons from Ukraine are now the exception rather than the norm, as Figure 1 illustrates. It was only at the start of the war in Ukraine that the number of applications for international protection in Austria increased. This can be explained by the fact that, on the part of the displaced persons, an application for international protection was initially seen as a requirement to remain in Austria,<sup>22</sup> especially as the implementing decision activating the EU Temporary Protection Directive was only adopted on 4 March 2022 and the Regulation on Displaced Persons only came into force in Austria on 12 March 2022.

**Figure 1: Number of applications for international protection filed in Austria by Ukrainian nationals and number of decisions granting temporary protection (January or March 2022–June 2023)**



Note: Data on applications for international protection in 2023 retrieved on 16 August 2023; Ukrainian nationals only.  
Sources: Federal Ministry of the Interior; 2023a, 2023f; Eurostat, n.d.b.

<sup>19</sup> Asylum Act 2005, FLG I No. 100/2005, in the version of federal law FLG I No. 221/2022.

<sup>20</sup> In this context, the Federal Office for Immigration and Asylum referred, for example, to cases of family proceedings (Art. 34 Asylum Act 2005), according to which all family members receive the same protection (Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023).

<sup>21</sup> Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

<sup>22</sup> Ibid.

On 30 January 2023, the Regulation on Displaced Persons was amended<sup>23</sup> and the right of residence for displaced persons was extended to 4 March 2024.<sup>24</sup> By January 2023, over 90,000 displaced persons had been registered in Austria whose ID cards had to be extended. Where possible, the Federal Office for Immigration and Asylum relied on automatic extensions and automatic postal deliveries (Federal Ministry of the Interior, 2022g). There were certain criteria to be met for this purpose: in addition to being granted a right of residence for displaced persons and a valid ID card, the individual had to be properly registered with the Central Population Register, with no removal measures underway.<sup>25</sup>

In Austria, it is not currently possible to switch from the temporary right of residence to a regular Austrian residence permit under the Settlement and Residence Act;<sup>26</sup> only when a person's temporary protection status ceases does this become a prospect.<sup>27</sup> The Regulation on Displaced Persons was adopted on the basis of Art. 62 Asylum Act 2005. In the view of the Federal Office for Immigration and Asylum, the resulting right of residence constitutes a residence permit for exceptional circumstances,<sup>28</sup> that is, a permit regulated by the Asylum Act 2005. Therefore, under the current legal situation, it is not possible to transfer to the Settlement and Residence Act. However, it has been argued in expert circles that a right of residence under the Regulation on Displaced Persons does not stand in the way of a right of residence under the Settlement and Residence Act.<sup>29</sup> Diakonie Austria also called for a "Ukrainians' Law"<sup>30</sup> to establish long-term prospects for displaced Ukrainians to stay and integrate in the country (Diakonie Austria, 2023). The United Nations High Commissioner for Refugees (UNHCR) also recommended in November 2022 that consideration be given to criteria for longer-term residence permits and that the necessary legal basis be prepared or adopted in a timely manner (UNHCR, 2022).

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23 The amendment to the Regulation on Displaced Persons was promulgated on 30 January 2023 in the Federal Law Gazette II No. 27/2023.

24 In July 2023, the European Commission announced at an informal meeting of Justice and Home Affairs Ministers that it would present a decision in September 2023 to further extend the right of residence of displaced persons until March 2025. Cf. Federal Ministry of the Interior, 2023e. In October 2023, the right of residence was extended until 4 March 2025 (Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382. OJ L, 2023/2409).

25 Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

26 Settlement and Residence Act, FLG I No. 100/2005, in the version of federal law FLG I No. 221/2022.

27 Interview with Bianca Prugger and Barbara Oueslati, Federal Ministry of the Interior, Department V/B/8 (Asylum), 10 August 2023.

28 Interview with Thomas Fauland, Federal Office for Immigration and Asylum, 10 August 2023.

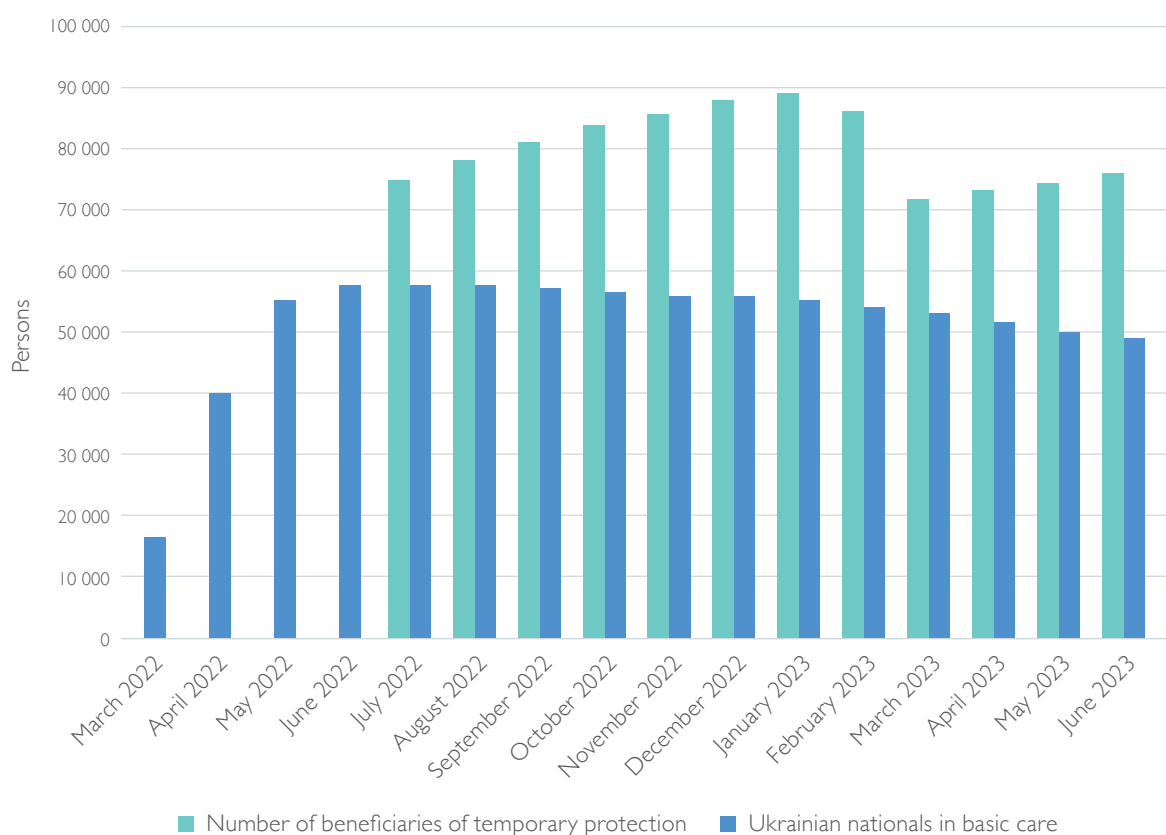
29 See Niederhammer, 2023.

30 In this context, the Federal Law to Ensure the Continued Right of Residence for Integrated Displaced Persons from Bosnia and Herzegovina, FLG I No. 85/1998, from 1998 was recalled. The background was that, as a result of Austrian measures taken at that time, a large number of nationals from Bosnia and Herzegovina displaced by the war, who had been temporarily admitted to Austria in 1992 and thereafter, had found employment and secure livelihoods. For social and integration policy reasons, it was therefore not considered sensible to end the stay of these foreigners, who previously had a temporary right of residence and had been able to integrate in Austria. For this group of persons, therefore, the possibility of continuing to remain in Austria was to be ensured by transferring them to the regime of residence titles under the Aliens Act 1997. See in this regard Parliament Austria, 1997.

### 3 ACCOMMODATION AND CARE FOR DISPLACED PERSONS

The number of beneficiaries of temporary protection in Austria rose continuously until January 2023. It then fell slightly only to rise again, so that in June 2023 there were 75,775 beneficiaries of temporary protection in Austria (Figure 2). In Austria, displaced persons within the meaning of the Regulation on Displaced Persons are included in the target group of the Agreement between the Federal State and the Provinces on Basic Care – Art. 15a Federal Constitutional Act (Art. 2 para 1 subpara 3),<sup>31</sup> meaning that if they are in need of aid, they have access to the relevant services under basic care. Although many of the displaced persons who come to Austria belonged to the middle class in Ukraine and have a certain amount of financial resources (or did have before the war), they are often dependent on basic care in Austria due to the war, especially in the initial period after arrival (Expert Council for Integration, 2022b). However, according to statistical data, the number of Ukrainians in basic care has fallen slightly but continuously since September 2022. Significantly, between September 2022 and June 2023, the total number of displaced persons fell by 6 per cent, while the number of Ukrainians in basic care fell by 15 per cent in the same period.

**Figure 2: Number of beneficiaries of temporary protection in Austria and Ukrainian nationals in basic care (March or July 2022–June 2023)**



Notes: The number of beneficiaries of temporary protection is not available for the period March to June 2022. Data retrieved on 31 August 2023; extra-EU27 nationals or Ukrainian nationals only.

Sources: Austrian Integration Fund, n.d.a; Eurostat, n.d.a.

31 Agreement Between the Federal State and the Provinces on Basic Care – Art. 15a Federal Constitutional Act, FLG I No. 80/2004.

Criticism of the use of the basic care system for displaced persons from Ukraine was already voiced as early as May and June 2022, among others by the Diakonie Refugee Service, arguing that it would make it more difficult for them to become financially independent (see below, [chapter 6](#)) and that basic care places cannot be increased at will (Diakonie Flüchtlingsdienst, 2022). In November 2022, the United Nations High Commissioner for Refugees (UNHCR) published a set of recommendations to support refugees from Ukraine in Austria; one of the points emphasized in these recommendations is that basic care is not designed for a prolonged stay by vulnerable people (UNHCR, 2022).

Accommodation posed a particular challenge in relation to the provision of care and support for displaced persons. In Austria, more emphasis was placed on support from the civilian population in this context. At the end of February 2022, the “Platform for Neighbourhood Accommodation” established by the Federal Agency for Reception and Support Services created a central neighbourhood point of contact for offers of accommodation from the civilian population. People who have a vacant property and want to make this available short term for people who have fled Ukraine are able to offer this via the platform (Federal Agency for Reception and Support Services, 2022; Federal Ministry of the Interior, 2022e). The Platform for Neighbourhood Accommodation was intended to ensure that everyone who had fled Ukraine would be given accommodation, even if only in the short term (Federal Agency for Reception and Support Services, 2022). In view of the fact that the Federal Agency for Reception and Support Services received 9,429 such donations of accommodation in March 2022 alone (*Tiroler Tageszeitung*, 2023), the Ukraine Refugee Coordination Unit of the Federal Government would like to see a clear gesture of appreciation from the Federal Government in recognition of the high level of support from the civilian population in accommodating displaced persons.<sup>32</sup> Although the Federal Agency continues to receive such donations, the number of monthly offers of neighbourhood accommodations was recently in single digits (Federal Ministry of the Interior, 2023b), so that it was not until 17 February 2023 that the 10,000th neighbourhood accommodation was registered (Federal Agency for Reception and Support Services, n.d.a). One reason for the recent drop in offers of accommodation seems to be the overburdening of accommodation providers.<sup>33</sup> This overburdening may be of a financial nature as the provision of housing as a donation is not financially compensated (Federal Agency for Reception and Support Services, n.d.c), which can have considerable impact, particularly in view of the high level of inflation and increased energy costs in Austria. However, providers who rent out their accommodation to displaced persons can also be affected by inflation. They provide their accommodation either free of charge or at reduced rates – catchword: rent subsidy as part of basic services; due to high inflation and energy prices they incur additional costs (Dulle, 2023). An attempt has therefore been made to counteract these costs by granting a cost-of-living adjustment. This entails the Federal Government reimbursing the provinces for the costs they incur from granting a cost-of-living adjustment to private accommodation providers (Art. I para I Federal Act on a Temporary Reimbursement of Costs by the Federal Government to the Provinces for Financial Expenses as a Cost-of-Living Adjustment in the Context of Basic Care).<sup>34</sup> The agreed cost-of-living adjustment provides for a maximum of EUR 50 (single person) or EUR 100 (two or more persons) per accommodation per month for individual accommodation for the period from 1 October 2022

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<sup>32</sup> Interview with Daniela Krois and Lisa Sommerauer; Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

<sup>33</sup> Ibid.

<sup>34</sup> Federal Act on a Temporary Reimbursement of Costs by the Federal Government to the Provinces for Financial Expenses as a Cost-of-Living Adjustment in the Context of Basic Care, FLG I No. 28/2023.

to 31 March 2023 (Art. 1 para 2 *ibid.*).<sup>35</sup> Although the decision to implement the cost-of-living adjustment was taken in March 2023, some provinces still need time before payment can actually begin.<sup>36</sup> In addition to the delay in payment, the cost-of-living adjustment has also been criticized because the financial compensation payments are restricted to the above-mentioned period (*Tiroler Tageszeitung*, 2023).

As can be seen in Table 1, the decreasing supply of private accommodation appears to have contributed to the increased demand among displaced persons to be housed in organized accommodation since July 2022. The situation has therefore changed since Austria started to receive displaced persons. At that time, only a relatively small number of people were housed in organized accommodation or in emergency accommodation (Rosenberger and Lazareva, 2022:17).

**Table 1: Ukrainian nationals in the basic care system by type of accommodation, as of the respective reporting date**

|                                       | Date          |                  |               |
|---------------------------------------|---------------|------------------|---------------|
|                                       | 1 July 2022   | 31 December 2022 | 1 July 2023   |
| Private accommodation                 | 45 060        | 39 967           | 33 061        |
| Organized accommodation               | 12 442        | 15 832           | 15 525        |
| <b>Total</b>                          | <b>57 502</b> | <b>55 799</b>    | <b>48 586</b> |
| Percentage in organized accommodation | 21.63%        | 28.37%           | 31.95%        |

Sources: Federal Ministry of the Interior, 2022c, 2023c, 2023d.

From the Ukraine Refugee Coordination Unit's point of view, the provision of affordable housing remains a challenge, especially since the financing of private accommodation within the framework of the basic care system is not possible with current maximum rates.<sup>37</sup>

<sup>35</sup> In addition, the law provides for a maximum of EUR 2 per person per day for organized accommodation and a maximum of EUR 4 for unaccompanied minors (Art. 1 para 3 and 4 Federal Act on a Temporary Reimbursement of Costs by the Federal Government to the Provinces for Financial Expenses as a Cost-of-Living Adjustment in the Context of Basic Care).

<sup>36</sup> Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

<sup>37</sup> *Ibid.*



## 4 INTEGRATION AND LANGUAGE ACQUISITION

Various integration measures have been implemented in an effort to integrate displaced persons living in Austria as effectively as possible. Existing proven integration structures adapted to the new target group and expanded accordingly were used. Special attention was paid to the fact that the majority of those seeking protection are women with children (Expert Council for Integration, 2022a, 2022b). In addition, the expectation that these displaced persons would have a higher than average educational attainment level was taken into account (Expert Council for Integration, 2022b). The support and integration measures were adapted and expanded according to need in cooperation with the Austrian Integration Fund, a fund of the Republic of Austria and operational partner of the Integration Department. As a result, the Austrian Integration Fund has been offering a wealth of advice and information services for displaced persons from Ukraine since March 2022 (Austrian Integration Fund, 2022a; Federal Chancellery, 2022a). These services include:

- Advice on the topics of integration, German courses, the labour market and schooling provided at the newly established central service points ("Mobile Service Points") in all provinces, enabling displaced persons to deal with as many official and administrative processes as possible, in one place on the same day (Federal Chancellery, 2022b);<sup>38</sup>
- Answers to questions about residence status, opportunities to learn German and entering the labour market provided by lawyers and community representatives;
- Answers to questions about care, guidance, and support and assistance programmes concerning living and working in Austria provided by Ukrainian-speaking staff at the specially established Austrian Integration Fund hotline and referral to relevant existing support services and the responsible agencies;
- Focus on women: programmes from the Austrian Integration Fund Women's Centre on topics such as educational opportunities and the labour market, health, self-determination and protection against violence;<sup>39</sup>
- Events (such as "Career Platforms") that directly connect displaced persons with companies looking for personnel.<sup>40</sup>

Since mid-March 2022 the Austrian Integration Fund has offered free German lessons to displaced persons from Ukraine. The courses are offered at more than 80 sites, with accompanying childcare if needed (Austrian Integration Fund, n.d.b). The Austrian Integration Fund also offers free online German lessons so that participants can improve their knowledge of German regardless of location, on their own initiative (ibid.). In partnership with Ukrainian universities and language learning centres, the Austrian Integration Fund provided new places on online courses for displaced persons from Ukraine. In connection with attending the courses, all participants in these online German courses had the opportunity to complete the courses with officially recognized Austrian integration examinations (Austrian Integration Fund, 2022b). With the aim of putting the integration measures already offered since the outbreak of the war into a legal framework and creating legal certainty for displaced persons from Ukraine through appropriate legal regulations (Parliament Austria, 2022),

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38 Written input: Federal Chancellery, Department II/1 (Policy Issues Integration), 31 May 2023.

39 Written input: Federal Chancellery, Department II/2 (Integration Coordination), 6 March 2024.

40 Ibid.

on 11 June 2022 an amendment<sup>41</sup> to the Integration Act<sup>42</sup> came into force extending the target group of the Integration Act to include displaced persons with a temporary right of residence in Austria. As a result of this amendment, the Federal Minister responsible for integration matters has to make German language courses also available to displaced persons from Ukraine aged 15 years or over, pursuant to Art. 4 para 1 Integration Act. In addition, the amendment enabled integration support, such as orientation and values courses, training and further education courses or other Austrian Integration Fund services, to be offered to displaced persons and orientation sessions to be held with displaced persons.<sup>43</sup>

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41 Amendment to the Integration Act, the Recognition and Assessment Act and the Educational Documentation Act 2020, FLG I No. 76/2022.

42 Integration Act, FLG I No. 68/2017 in the version of federal law FLG I No. 76/2022.

43 Written input: Federal Chancellery, Department II/I (Policy Issues Integration), 31 May 2023.

## 5 MEASURES IN THE EDUCATION SECTOR

Austrian measures for displaced persons in the field of education covered both school and university sectors. When refugees started to arrive in Austria, incoming school-age displaced persons were taught in mainstream classes or, if there were eight or more Ukrainian pupils at one site, in separate German support classes (*Kurier*, 2022b). However, efforts have recently been made to teach them in mainstream classes. The Vienna Board of Education planned to place all Ukrainian school students in mainstream classes for the school year 2023/2024 (*ORF.at*, 2023a). Some schools were already teaching Ukrainian students in mainstream classes in spring 2023 and offered additional German language support. By working with German-speaking students, Ukrainian students were able to acquire the language more quickly (Tomaselli, 2023).

An issue that again became problematic in the first half of 2023 and affected Ukrainian and other school students was their classification as “extraordinary” students. School students who have insufficient knowledge of the German language of instruction<sup>44</sup> are normally enrolled as “extraordinary” students (Art. 4 para 2 (a) School Education Act).<sup>45</sup> It is only possible to a limited extent to give grades to such students. This means they are not able to progress to the next year of schooling or next stage of school education (Art. 25 School Education Act), which means they must repeat the previously completed school year (*Der Standard*, 2023). In order to enable students to progress to the next year of schooling or next stage of school education, the existing practice was changed at short notice in June 2023, just before the end of the school year. For example, students who had not passed their German language skills examination, but who had already repeated the fourth grade (fourth year of compulsory schooling), were given the opportunity to advance to the next stage of school education (Horaczek, 2023). Although this approach does not represent a long-term solution, the Ukraine Refugee Coordination Unit feels that the creation of this opportunity for students to progress has been a successful measure. For the future, however, the development of more far-reaching education and integration concepts is proposed with a stronger focus on the primary language.<sup>46</sup>

Ukrainian students should benefit from rapid and unbureaucratic financial aid, which is why they were exempted from the obligation to pay tuition fees in the summer semester of 2022 by the amendment<sup>47</sup> to the Student Fees Regulation<sup>48</sup> of 10 March 2022. The previous regulation had stipulated that Ukrainian nationals – as well as other third-country nationals – are in principle obliged to pay university fees of EUR 726.72 per semester. Since then, several amendments have exempted Ukrainian students from paying tuition fees up to and including the winter semester 2023/24.<sup>49</sup> In addition, the Federal Ministry of Education, Science and Research supported Ukrainian students and academics with special grants. In mid-April 2022, 500 grants worth EUR 715 per person per month were available (Federal Ministry of Education, Science and Research, 2022).

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44 The language level is determined by the “Measuring Instrument for Competence Analysis German”. Cf. Federal Ministry of Education, Science and Research, n.d.

45 School Education Act, FLG No. 472/1986, in the version of federal law FLG I No. 37/2023.

46 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

47 Amendment to the Tuition Fee Regulation, FLG II No. 89/2022.

48 Tuition Fee Regulation, FLG II No. 218/2019 in the version of FLG II No. 304/2022.

49 Tuition Fee Regulation, FLG II No. 218/2019 in the version of FLG II No. 187/2023.

## 6 ACCESS TO THE LABOUR MARKET

In view of the high qualification of many displaced persons from Ukraine, it was intended to grant them access to the Austrian labour market as quickly as possible (Kurier, 2022a). Due to the “common European understanding of values” identified by the Federal Minister for Women, Family, Integration and Media, the focus of the integration of displaced persons was not on communicating values, but on brokering work (Heute, 2022). From March 2022, Austria initially used a simplified procedure whereby employers could be granted a work permit for displaced persons without having to conduct a labour market test<sup>50</sup> provided the general requirements (Art. 4 para 1 Act Governing the Employment of Foreign Nationals)<sup>51</sup> were met (Austrian Federal Economic Chamber, n.d.). In April 2023, the access of displaced persons to the Austrian labour market was fundamentally changed and simplified. The Act Governing the Employment of Foreign Nationals was amended with the aim of removing “all obstacles relating to labour market authorities” (Parliament Austria, 2023). The amendment exempted individuals with the status of displaced persons from the scope of the legislation. This did away with the previous requirement for such people to hold a work permit, meaning that they are now able to take up any employment without a permit (ibid.). Once the requirement to have a work permit ended, this seems to have encouraged the taking up of employment. At least, the statistical data show a significant increase in Ukrainian nationals registered as seeking work – from 531 persons in March 2023 to 1,793 persons in April 2023 (Federal Ministry of Labour and Economy, n.d.). Compared to April 2023 (17,472), the number of Ukrainian nationals (dependently and marginally) employed on the Austrian labour market also increased in May 2023 (19,167) and June 2023 (20,547; Federal Ministry of Labour and Economy, n.d.).

In view of the need for the fastest possible recognition of school and vocational qualifications (Expert Council for Integration, 2022b), an amendment<sup>52</sup> to the Recognition and Assessment Act<sup>53</sup> came into force on 10 June 2022. In addition to persons granted asylum and beneficiaries of subsidiary protection status, displaced persons from Ukraine were also covered by the scope of this act and the special procedural provisions for recognition or assessment of foreign educational or professional qualifications were extended to displaced persons from Ukraine.<sup>54</sup>

However, the labour force potential of Ukrainian nationals in Austria does not seem to have been exhausted, as Figure 3 shows. In January 2023, just under a year since the start of the war, a significantly higher number of Ukrainian nationals of working age were in Austria than a year earlier, but only 25 per cent were in employment, compared to 50 per cent in January 2022. Moreover, only one per cent were registered as jobseekers with the Public Employment Service.

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50 For details see Ebner, 2023.

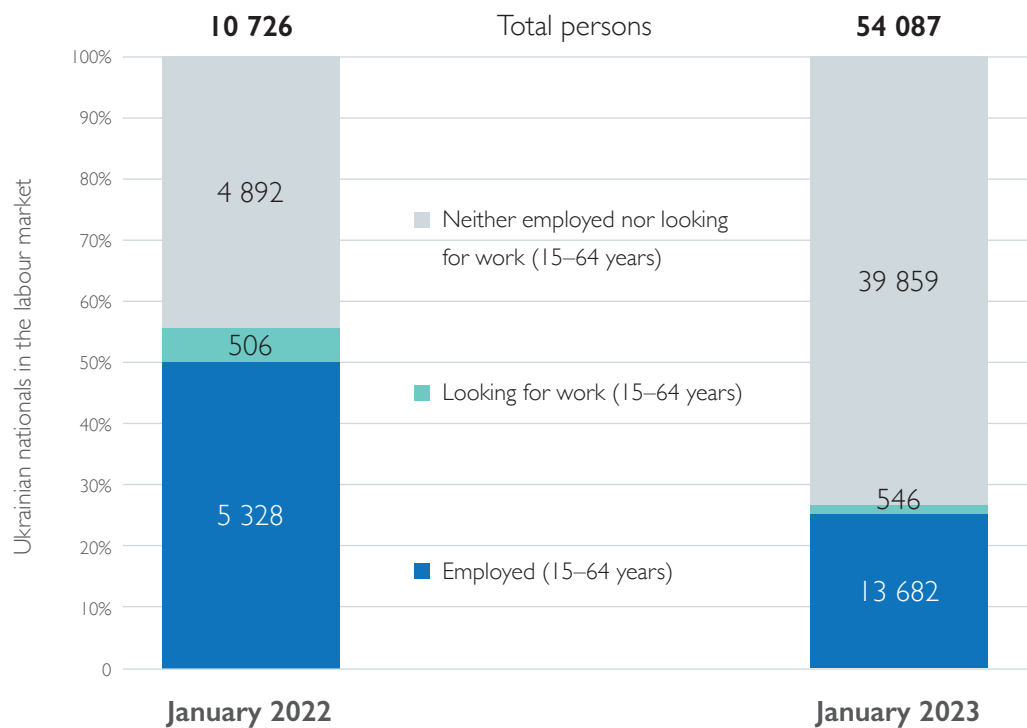
51 Act Governing the Employment of Foreign Nationals, FLG No. 218/1975, in the version of federal law FLG I No. 84/2023.

52 Amendment to the Integration Act, the Recognition and Assessment Act and the Educational Documentation Act 2020, FLG I No. 76/2022.

53 Recognition and Assessment Act, FLG I No. 55/2016 in the version of federal law FLG I No. 76/2022.

54 If, due to the refugee situation, the documents required for the recognition and assessment of foreign educational qualifications or professional qualifications and for the procedure for professional authorization cannot be submitted, their qualifications must be determined by the competent authorities in an appropriate manner and completed in the form of the relevant qualification for the respective procedure. Appropriate procedures may include practical or theoretical examinations, random tests, work samples and expert opinions. The choice of procedure is at the discretion of the competent authority (Written input: Federal Chancellery, Department II/2 (Integration Coordination), 6 March 2024).

**Figure 3: Employed and jobseeking Ukrainian nationals in the Austrian labour market**



Note: The category “Employed (15–64 years)” includes dependently and marginally employed persons at the month-end cut-off date.

Sources: Federal Ministry of Labour and Economy, n.d.; Statistics Austria, n.d.

According to the Ukraine Refugee Coordination Unit, the low employment rate is also linked to uncertainty as to whether and what effects registration with the Public Employment Service could have on basic care benefits.<sup>55</sup> Experts also presume that entry into the labour market is hampered by the additional earnings limit<sup>56</sup> which must be taken into account when receiving basic care benefits. In view of the opportunity for employment for displaced persons and the associated income, the Federal Minister of the Interior explored the issue of increasing the earnings limit for displaced persons from Ukraine already at the Conference of Provincial Refugee Case Workers on 29 March 2022 (Federal Ministry of the Interior, 2022a). In October 2022, the additional earnings limit was raised and this increase has been applied in most provinces (ORF.at, 2023b). If the new limit is exceeded, there is a steady reduction in basic care benefits by 65 per cent of the excess income until the income reaches the level at which the deduction equals the basic care benefits.<sup>57</sup>

<sup>55</sup> Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

<sup>56</sup> Ibid.

<sup>57</sup> Written input: Federal Ministry of the Interior; Department V/B/9 (Basic Care), 6 March 2024.

## 7 ACCESS TO SOCIAL BENEFITS

With regards to the low share in the Austrian labour market (see [chapter 6](#)) the call made in 2022 by the United Nations High Commissioner for Refugees (UNHCR) and Diakonie to integrate displaced persons into the social assistance system (Diakonie Flüchtlingsdienst, 2022; UNHCR, 2022), seems to have gained renewed relevance. In addition to the financial benefits for displaced persons, the benefits in terms of labour market integration in particular were used as an argument in favour of access to social assistance. The Federal Ministry of the Interior stated that due to mandatory European Union requirements an exemption from basic care would only be permissible if the persons concerned are entitled to claim social assistance in accordance with the social assistance provisions of the provinces and these provincial provisions provide for benefits in line with the requirements of the EU Temporary Protection Directive. Moving displaced persons from basic care to social assistance would require amendment of the General Social Assistance Act<sup>58</sup> and of the corresponding implementing legislation in the provinces.<sup>59</sup> This means it is still not possible for displaced persons to move from the basic care system to the social assistance/minimum income system,<sup>60</sup> although this would be welcomed by the Ukraine Refugee Coordination Unit.<sup>61</sup>

Measures have also been taken in the area of social benefits for displaced persons. In particular, health care for displaced persons in Austria is guaranteed – both in cases where basic care is provided and where it is not<sup>62</sup> – and is generally functioning effectively, according to the Ukraine Refugee Coordination Unit. However, there is a challenge here as not all actors in the health-care sector are aware that displaced persons are able to receive health insurance benefits simply by providing evidence of Ukrainian citizenship – for example with their passport – before they have an insurance number or an e-card replacement document (Austrian Health Insurance Fund, n.d.). Consistent issuance of the e-card to persons in basic care would therefore be a significant relief.<sup>63</sup>

The long-term care allowance has only been available to displaced persons since the Supreme Court decision of 22 August 2023. The decision clarified that displaced persons belong to the group of persons covered by Art. 3a para 2 subpara 1 of the Federal Long-Term Allowance Act<sup>64</sup> and are therefore entitled to long-term care allowance if the other eligibility requirements are met (Supreme Court, 2023). The provinces continue to provide support solely on a goodwill basis for people with disabilities. No legal entitlement exists, other than under certain circumstances.<sup>65</sup> Lack of access to these social benefits was also identified as a particular problem since, in the view of the Ukraine Refugee Coordination Unit, it can be assumed that displaced

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58 General Social Assistance Act, FLG I No. 41/2019, in the version of federal law FLG I No. 45/2023.

59 Written input: Federal Ministry of the Interior, 2 November 2023.

60 Until the General Social Assistance Act is implemented in the provinces, the current minimum income laws of the individual provinces still apply. See *oesterreich.gv.at*, n.d.

61 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

62 See Art. 6 para 1 subpara 5 Agreement between the Federal State and the Provinces on Basic Care - Art. 15a Federal Constitutional Act and Art. 1 subpara 1 Regulation of the Federal Minister for Social Administration of 28 November 1969 on the Implementation of Health Insurance for Persons Included in Health Insurance Pursuant to Art. 9 General Social Insurance Act, FLG No. 420/1969, in the version of federal law FLG II No. 104/2022.

63 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

64 Federal Long-Term Care Allowance Act, FLG No. 110/1993, in the version of federal law FLG I No. 109/2023.

65 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023. In this context, Austria was recommended by the Committee on the Rights of Persons with Disabilities in the report published in 2023 to, among other things, grant access to support measures for impaired persons with displaced status. See Committee on the Rights of Persons with Disabilities, 2023:14.



persons with disabilities or care needs will remain in Austria in the long term and therefore need access to the social system.<sup>66</sup>

Displaced persons were also granted access to family benefits. Specifically, the Act on the Compensation of Family Expenses 1967<sup>67</sup> was amended in July 2022 granting displaced persons family allowance for their children from March 2022 at the earliest (retroactive). This entitlement ceases on the day that the temporary right of residence ends, but at the latest in March 2024 (Federal Chancellery, n.d.). In October 2022, an amendment to the Childcare Allowance Act<sup>68</sup> was promulgated; retroactive application is possible for a maximum of 182 days in the past up until 3 March 2024 at the latest (Art. 4 para 2 and Art. 50 para 30 Childcare Allowance Act).<sup>69</sup> If the childcare allowance is applied for retroactively by displaced persons in basic care, approval of this application will ultimately lead to retroactive receipt of two sets of benefits – basic care as well as the retroactive award of childcare allowance. Childcare allowance is treated as income and is therefore set off against basic care benefits (Federal Agency for Reception and Support Services, n.d.b). Therefore, the childcare allowance is subsequently offset, which can lead to a repayment obligation on the part of the displaced persons. Basic care may be suspended until the amount claimed back has been paid. In this context, the Ukraine Refugee Coordination Unit also points out that the legal requirements in the context of basic care were handled fairly leniently at the start of reception of displaced persons in Austria in order to accommodate them. This concerned, for example, the non-offsetting of realizable assets such as their own motor vehicles or Ukrainian pensions against basic care benefits. Now, the legal requirements are implemented more strictly and the deduction from basic care benefits is being made retroactively. This leads to more retrospective reductions in basic care benefits or the suspension of benefits and, for example, to Ukrainian pensioners being confronted, in some cases through no fault of their own, with high repayment demands.<sup>70</sup> In addition to the unpredictable consequences for those affected, the necessary calculations and any recovery procedures also involve a considerable administrative burden.<sup>71</sup>

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66 Interview with Daniela Krois and Lisa Sommerauer; Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

67 Act on the Compensation of Family Expenses 1967, FLG I No. 376/1967 in the version of federal law FLG I No. 135/2022.

68 Childcare Allowance Act, FLG I No. 103/2001 in the version of federal law FLG I No. 154/2022.

69 Childcare Allowance Act, FLG I No. 103/2001, in the version of federal law FLG I No. 82/2023.

70 Interview with Daniela Krois and Lisa Sommerauer; Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

71 Ibid.

## 8 MEASURES RELATING TO VULNERABLE PERSONS

Vulnerable persons – for instance minors, pregnant women, people with serious physical illnesses and people who have suffered sexual violence (EMN, 2018) – are in particular need of protection. With regard to identification of these vulnerable persons, the Ukraine Refugee Coordination Unit suggested the introduction of a clearing process in which, for example, medical needs could be clarified. It was pointed out that persons seeking international protection, for example, undergo medical check-ups at the initial reception centres so that the necessary treatment can be organized and vulnerabilities identified. Despite the provision of initial arrival centres for displaced persons, however, it was not possible to put a similar approach into practice for displaced persons, most of whom are or were living in private accommodation and had therefore moved on from the initial arrival centres too soon to start social counselling, which thus did not take place until later.<sup>72</sup>

The fact that displaced persons have faced and are still facing an increased risk of human trafficking or exploitation remains unchanged (Chen, 2022; Hausbichler and Maan, 2022; Heilemann, 2023:20; Schocher, 2023). They are vulnerable to various forms of exploitation: minors can be affected by illegal adoptions, while women and children may be impacted by labour exploitation, forced begging or sexual exploitation.<sup>73</sup> Immediately after the start of the Russian war of aggression against Ukraine and the resulting forced displacement, the Federal Criminal Intelligence Service and the victim protection organizations launched information campaigns at the border and in reception centres for arriving displaced persons. The “Asylum Train II” training conducted by the International Organization for Migration, Country Office for Austria together with the Federal Criminal Intelligence Service and the victim protection organizations LEFÖ-IBF, MEN VIA and Drehscheibe (MA II) was also supplemented by workshops for staff from the registration and basic care centres for Ukrainians.<sup>74</sup> Apart from general measures that were already started in 2022 and continued in 2023, Criminal Intelligence Service Austria and the Federal Agency for Reception and Support Services relied on the support of a mediator employed by the Federal Agency for Reception and Support Services and working at the Train of Hope – Flüchtlingshilfe association until December 2023. This mediator offered advice and assistance to displaced persons in the event of potential human trafficking cases.<sup>75</sup>

The challenges generally faced in Austria relating to the identification and prevention of human trafficking obviously also apply in the context of displaced persons. These include, in particular, the identification of trafficked persons (GRETA, 2020; Stiller, 2021). With regard to displaced persons, the situation is complicated by the fact that they often have less contact with authorities than applicants for international protection, for example, which makes it more difficult for potential human trafficking or exploitative situations to be identified.<sup>76</sup>

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<sup>72</sup> Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

<sup>73</sup> Written input: Criminal Intelligence Service Austria, 8 August 2023.

<sup>74</sup> Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 24 January 2023.

<sup>75</sup> Written input: Criminal Intelligence Service Austria, 8 August 2023.

<sup>76</sup> Ibid.

## 9 CONCLUSIONS

Austria has taken various measures to provide comprehensive support to displaced persons from Ukraine. In addition to issuing the Regulation on Displaced Persons, which gives displaced persons temporary right of residence in Austria, Austria was the first EU Member State to take in displaced persons from the Republic of Moldova as part of the EU Solidarity Platform. Austria has also taken in displaced persons from Poland as part of a project by the International Organization for Migration (IOM). The accommodation and care of displaced persons registered in Austria takes place within the framework of the basic care system, whereby support from the civilian population should be particularly highlighted here. Existing integration measures have been adapted and comprehensive language acquisition programmes set up in order to integrate displaced persons in Austria. Language acquisition has also been an area of focus in the school sector. Measures have been taken to reduce the negative effects on pupils of poor language skills. Financial obstacles for students have been removed, for example by exempting them from payment of tuition fees. To facilitate rapid entry into the labour market, displaced persons have been included in the Recognition and Assessment Act and the previous requirement for a work permit has been removed. In the area of social benefits, access to family allowance and childcare benefits has been made possible. A decision taken by the Supreme Court in August 2023 has clarified that displaced persons are entitled to long-term care allowance if they meet the other eligibility requirements. With regard to vulnerable people, measures have been taken to prevent human trafficking and to identify such cases.

On the one hand, the reception of displaced persons in Austria has provided important lessons for the future. For example, the procedure for displaced persons has been designed as an efficient one-stop procedure and conducted (almost exclusively) electronically under the nationwide responsibility of the Federal Office for Immigration and Asylum. Since the outbreak of the war in Ukraine, the efficient use of information technology has enabled the Federal Office for Immigration and Asylum to quickly process the numerous procedures and identity document renewals relating to displaced persons.<sup>77</sup> On the other hand, there are still issues to be resolved. These include, among others, the question of how to deal with displaced persons after their displaced person status has expired at a European and national level. They can only switch to an Austrian residence permit under the Settlement and Residence Act when their temporary protection status expires.

Another learning experience relates to basic care. With regard to the retroactive offsetting (for example of Ukrainian pensions) against basic care benefits, the Ukraine Refugee Coordination Unit sees an important learning aspect in the fact that future requirements should be applied consistently from the outset in order to avoid subsequent tightening of the practice adopted previously.<sup>78</sup>

As a result of European and Austrian regulations, the legal status of displaced persons differs from the legal status of applicants for international protection. The legal status of displaced persons includes, for example, immediate access to the labour market. However, this is restricted by the limitations of the basic care

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<sup>77</sup> Written input: Federal Ministry of the Interior, Department V/B/8 (Asylum) and Federal Office for Immigration and Asylum, 6 March 2024.

<sup>78</sup> Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

system, specifically by the additional earnings limit (which is higher for displaced persons). This means that although displaced persons have the legal possibility to support themselves, in practice persons in the basic care system have to take into account the additional earnings limit. This applies regardless of whether or not the income from gainful employment is sufficient to support the person(s) concerned. Experts therefore feel that the additional earnings limit is an obstacle to entering the labour market.<sup>79</sup> The original decision to include displaced persons in the basic care system at the beginning may have seemed an obvious way to include displaced persons in existing systems as quickly as possible. However, there was some discussion around whether displaced persons should initially receive basic care just for a specified period of time and subsequently move to the social assistance system. Moving them to the social assistance system would involve them having to become active on the labour market or to mandatorily register as jobseekers with the Public Employment Service. This could lead to more displaced persons being helped into employment. However, moving displaced persons to the social assistance system in Austria appears to be a controversial issue. Such a move would require amendment of the General Social Assistance Act and the corresponding implementing legislation of the provinces.

With regard to vulnerable persons, the suggestion of introducing a clearing process would appear to be an approach worth pursuing. The Ukraine Refugee Coordination Unit argued that a defined clearing process, which must be completed by all individuals, could not only prevent vulnerabilities<sup>80</sup> from being overlooked, but could also identify other aspects in addition to medical needs,<sup>81</sup> such as education, professional experience and language skills. This information would subsequently also be relevant for the education sector, the labour market, as well as the health and social sectors, among others.<sup>82</sup>

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79 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

80 It was pointed out that recognizing vulnerabilities – such as human trafficking, child trafficking, or sexualized violence – requires trained personnel.

81 While some of these data are collected in Austria, they are not subsequently merged.

82 Interview with Daniela Krois and Lisa Sommerauer, Ukraine Refugee Coordination Unit of the Federal Government, 3 August 2023.

## 10 ANNEX

### 10.1 List of translations and abbreviations

| English term                                                                                              | English abbreviation | German term                                                | German abbreviation |
|-----------------------------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------|---------------------|
| Act Governing the Employment of Foreign Nationals                                                         | –                    | Ausländerbeschäftigungsgesetz                              | AuslBG              |
| Act on the Compensation of Family Expenses 1967                                                           | –                    | Familienlastenausgleichsgesetz 1967                        | –                   |
| Agreement between the Federal State and the Provinces on Basic Care - Art. 15a Federal Constitutional Act | –                    | Grundversorgungsvereinbarung - Art. 15a B-VG               | GVV                 |
| Asylum Act 2005                                                                                           | –                    | Asylgesetz 2005                                            | AsylIG 2005         |
| Austrian Federal Economic Chamber                                                                         | –                    | Wirtschaftskammer Österreich                               | WKÖ                 |
| Austrian Integration Fund                                                                                 | –                    | Österreichischer Integrationsfonds                         | ÖIF                 |
| basic care                                                                                                | –                    | Grundversorgung                                            | –                   |
| Central Population Register                                                                               | –                    | Zentrales Melderegister                                    | ZMR                 |
| Childcare Allowance Act                                                                                   | –                    | Kinderbetreuungsgeldgesetz                                 | KBGG                |
| Constitutional Court                                                                                      | –                    | Verfassungsgerichtshof                                     | VfGH                |
| Criminal Intelligence Service Austria                                                                     | –                    | Bundeskriminalamt                                          | BK                  |
| European Migration Network                                                                                | EMN                  | Europäisches Migrationsnetzwerk                            | EMN                 |
| European Union                                                                                            | EU                   | Europäische Union                                          | EU                  |
| European Union Agency for Asylum                                                                          | EUAA                 | Asylagentur der Europäischen Union                         | EUAA                |
| Federal Agency for Reception and Support Services                                                         | –                    | Bundesagentur für Betreuungs- und Unterstützungsleistungen | BBU GmbH            |
| Federal Chancellery                                                                                       | –                    | Bundeskanzleramt                                           | BKA                 |

| English term                                                             | English abbreviation | German term                                                              | German abbreviation |
|--------------------------------------------------------------------------|----------------------|--------------------------------------------------------------------------|---------------------|
| Federal Constitutional Act                                               | –                    | Bundes-Verfassungsgesetz                                                 | B-VG                |
| Federal Law Gazette                                                      | FLG                  | Bundesgesetzblatt                                                        | BGBL                |
| Federal Ministry of Education, Science and Research                      | –                    | Bundesministerium für Bildung, Wissenschaft und Forschung                | BMBWF               |
| Federal Ministry of Labour and Economy                                   | –                    | Bundesministerium für Arbeit und Wirtschaft                              | BMAW                |
| Federal Ministry of Social Affairs, Health, Care and Consumer Protection | –                    | Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz | BMSGPK              |
| Federal Ministry of the Interior                                         | –                    | Bundesministerium für Inneres                                            | BMI                 |
| Federal Office for Immigration and Asylum                                | –                    | Bundesamt für Fremdenwesen und Asyl                                      | BFA                 |
| General Social Insurance Act                                             | –                    | Allgemeines Sozialversicherungsgesetz                                    | ASVG                |
| International Organization for Migration                                 | IOM                  | Internationale Organisation für Migration                                | IOM                 |
| legislative term                                                         | –                    | Gesetzgebungsperiode                                                     | GP                  |
| National Contact Point                                                   | NCP                  | Nationaler Kontaktpunkt                                                  | NKP                 |
| Official Journal of the European Union                                   | OJ                   | Amtsblatt der Europäischen Union                                         | ABl.                |
| Public Employment Service                                                | –                    | Arbeitsmarktservice                                                      | AMS                 |
| Regulation on Displaced Persons                                          | –                    | Vertriebenen-Verordnung                                                  | VertriebenenVO      |
| School Education Act                                                     | –                    | Schulunterrichtsgesetz                                                   | –                   |
| Settlement and Residence Act                                             | –                    | Niederlassungs- und Aufenthaltsgesetz                                    | NAG                 |
| social assistance                                                        | –                    | Sozialhilfe                                                              | –                   |
| Statistics Austria                                                       | –                    | Statistik Austria                                                        | –                   |

| English term                                  | English abbreviation | German term                                       | German abbreviation |
|-----------------------------------------------|----------------------|---------------------------------------------------|---------------------|
| Supreme Court                                 | –                    | Oberster Gerichtshof                              | OGH                 |
| unaccompanied minors                          | –                    | unbegleitete minderjährige Fremde                 | UMF                 |
| United Nations                                | –                    | Vereinte Nationen                                 | UN                  |
| United Nations High Commissioner for Refugees | UNHCR                | Hoher Flüchtlingskommissar der Vereinten Nationen | UNHCR               |



## 10.2 References\*

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## EUROPEAN MIGRATION NETWORK

The European Migration Network (EMN) was launched in 2003, by the European Commission and by order of the European Council, in order to satisfy the need for a regular exchange of reliable information in the field of migration and asylum at European level. Since 2008 the Council Decision 2008/381/EC has constituted the legal basis of the EMN. National Contact Points (NCPs) have been established in each European Union Member State (except Denmark) and in EMN Observer Countries (Armenia, Georgia, Montenegro, Norway, the Republic of Moldova, Serbia and Ukraine).

The EMN's role is to provide up-to-date, objective, reliable and comparable information on migration and asylum to European Union institutions and Member States' authorities and institutions with a view to supporting policymaking in the European Union in these areas. The EMN is also tasked with providing such information to the general public.

The NCP Austria – based on an agreement with the Federal Ministry of the Interior – is located in the Policy Research and Migration Law Department of the country office for Austria of the International Organization for Migration (IOM). The IOM office was established in 1952 when Austria became one of the first Member States of the Organization. The main responsibility of the IOM country office is to analyse national migration issues and emerging trends and to develop and implement corresponding national projects and programmes.

The main tasks of the NCPs in implementing the work programme of the EMN include drafting the annual policy reports and studies covering specific topics, responding to ad hoc queries launched by other NCPs or the European Commission, carrying out activities to increase the EMN visibility, and networking within several fora. In addition, the NCPs in each country also set up national networks of organizations, institutions and individuals working in the field of migration and asylum.

In general, the NCPs do not conduct primary research but collect and analyse existing data and information, which are supplemented where necessary through additional information collected directly. EMN studies are prepared in accordance with common study templates in order to achieve comparable results within the European Union and Norway. Since comparing results frequently proves challenging, the EMN has produced a Glossary, which ensures that similar definitions and terminology are used in all national reports.

On completion of national reports, the European Commission with the support of a service provider drafts a synthesis report, which summarizes the most significant results from the individual national reports. In addition, topic-based policy briefs, referred to as EMN Informs, are prepared as succinct summaries and comparisons of national findings on key selected topics. All national studies, synthesis reports, Informs and the Glossary are available on the website of the European Commission Directorate-General for Migration and Home Affairs.



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The European Migration Network (EMN) is coordinated by the European Commission with National Contact Points established in each European Union Member State (except Denmark) plus EMN Observer Countries including Norway, Georgia, the Republic of Moldova, the Ukraine, Montenegro, Armenia, and Serbia.  
The National Contact Point Austria is financed by the European Commission and the Austrian Federal Ministry of the Interior.