

# ORGANIZATION OF THE MIGRATION AND ASYLUM SYSTEM IN AUSTRIA

## OVERVIEW

LAST UPDATED ON [SEPTEMBER 2020](#)



### INTRODUCTION

This document provides an overview of how asylum and migration policies are organized in **Austria**, including the organization of the institutional and regulatory context and framework for dealing with third-country nationals coming for the purpose of legal immigration or for international protection. It is based on the information provided by Austria in [September 2020](#).



### OVERVIEW OF ORGANIZATION OF LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

#### THE INSTITUTIONAL CONTEXT

The Federal Ministry of the Interior is the institution mainly responsible for migration and asylum policy. As an agency under this ministry, the Federal Office for Immigration and Asylum is the authority in the first instance in asylum procedures and other procedures relating to migration.

The Federal Ministry for Europe and International Affairs is responsible for external aspects of migration issues, for processing and issuing visas as well as for receiving applications for residence and settlement permits. Residence permits are issued by the residence authorities. The Federal Minister for Women and Integration at the Federal Chancellery coordinates the general integration policy. The Austrian Integration Fund serves as a fund of the Republic of Austria in the area of migration and integration.

The Federal Ministry for Labour, Family and Youth is responsible for matters including labour market policy

and thus for employment policies applying to foreign nationals. The Public Employment Service has the task of enforcing the Act Governing the Employment of Foreign Nationals.

#### THE LEGAL SYSTEM

The central pieces of legislation governing migration and asylum are: the Asylum Act 2005, the Aliens Police Act 2005, the Settlement and Residence Act, the Citizenship Act 1985, the Act Governing the Employment of Foreign Nationals, the Integration Act and the acts on basic care at federal and provincial levels. Provisions of law applying to the criminal offence of trafficking in human beings are contained in the Criminal Code.

Any decision issued by an administrative authority can be appealed by lodging a complaint with an independent administrative court. Appeals against rulings by an administrative court can be brought before the Supreme Administrative Court and under certain conditions before the Constitutional Court.



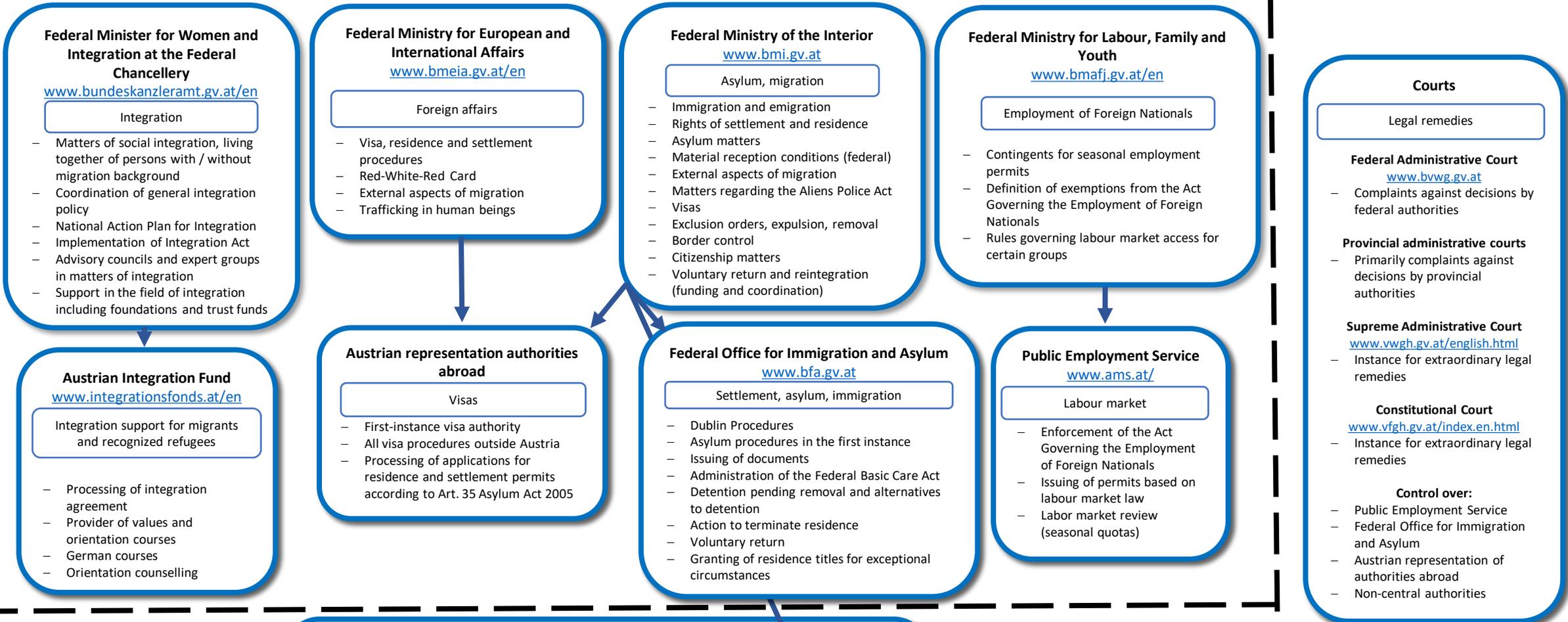
### INSTITUTIONAL CHART

Refer to annex.

# Austria

## Institutional Framework for Migration and Asylum\*

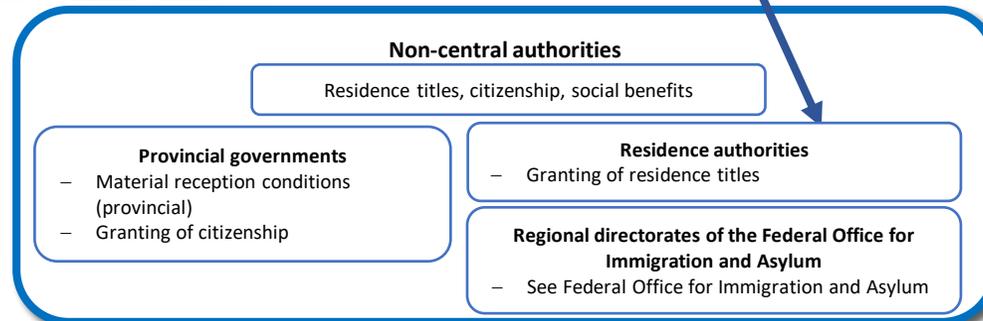
FEDERAL LEVEL



PROVINCIAL LEVEL

Legend:

- Bound by instructions
- Other relationship



\* This institutional chart provides an indicative overview of the migration and asylum system in Austria as of SEPTEMBER 2020