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Annual Report on Migration and International Protection Statistics 2008

National Report for Austria

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The opinions presented in the national study are those of the authors and do not necessarily represent the position of the Austrian Federal Ministry of the Interior or the International Organization for Migration.

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EMN Information

The EMN was launched in 2003 as a pilot project and was formally established by Council Decision 2008/381/EC¹ in May 2008. “As stipulated in Council Decision 2008/381/EC, the objective of the [...] EMN is to meet the information needs of Union institutions and of Member States’ authorities and institutions on migration and international protection, by providing up-to-date, objective, reliable and comparable information on migration and international protection, with a view to supporting policymaking in the European Union in these areas. The EMN will also serve to provide the wider public with such information.”²

The EMN is co-ordinated by the European Commission (under the direct responsibility of the Directorate General Home Affairs) with the assistance of two service providers³, and is overseen by the EMN Steering Board. At present the EMN consists of the European Commission and National Contact Points (NCPs), which are established in 26 EU Member States and Norway. The EMN NCPs have been designated by the government of their Member State.⁴ In Austria the EMN NCP is based at the International Organization for Migration (IOM) in Vienna.⁵

The core activities of the EMN NCPs include the preparation of Annual Policy Reports and Annual Reports on Asylum and Migration Statistics, undertaking research and draft studies addressing policy developments, issuing ad-hoc queries and responding promptly to such requests from other EMN NCPs. Last but not least, the NCPs are establishing a national network composed of national organisations, institutions and individuals active in the area of migration and international protection.

The EMN NCPs do not engage in primary research, but rather collect, gather and evaluate pre-existing data. EMN Studies such as “Satisfying labour demand through migration” are developed according to a common methodology in order to have comparable findings. To increase the comparability of the outputs, a Glossary has been launched by the EMN in order to ensure that similar terminology is used in the national reports.

Specifications for studies and reports are developed by the EMN NCPs in co-operation with the European Commission and its service providers. Using these, each EMN NCP produces a national report (whenever possible in co-operation with their national network members). A synthesis report is then prepared by the European Commission with the service provider GHK-COWI giving the key findings from each national report, highlighting the most important aspects and placing them within an EU perspective. All national and synthesis reports are available on the EMN website.⁶

¹ Council Decision establishing a European Migration Network, 2008/381/EC, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008D0381:EN:NOT> (accessed on 13 September 2010).

² European Commission: EMN Status Report 2009, Version 1, April 2010, p. 6.

³ In 2009, the European Commission appointed GHK-COWI and iLiCONN as Service Providers. GHK-COWI's priorities are to increase the coordination capacity of the network and to produce the Synthesis Reports, whilst iLiCONN is responsible for developing an online Information Exchange System and a Website.

⁴ Denmark is not formally required to designate an EMN NCP but participates in the EMN as observer.

⁵ For more information on the EMN NCP AT visit <http://www.emn.at> and for more information on the IOM Vienna visit <http://www.iomvienna.at>.

⁶ For more information on the EMN visit <http://emn.sarenet.es/html/index.html> (consulted on 04 June 2010).

Executive Summary

This report is the Austrian contribution to the EMN Synthesis Report “Annual Report on Migration and International Protection Statistics 2008 for the European Union Member States” and aims to facilitate comparisons and interpretations pertaining to migratory trends on the European level as well as in the international context. It follows common specifications developed by the EMN. Most data used in this report has been extracted from the E-Database of Eurostat. As part of the verification process used for the editing of the EMN Annual Statistics Reports, Eurostat data was verified by the national providers on migration and international protection statistics.

In 2008, a number of 110,074 inflows to Austria were contrasted by a number of 75,638 outflows, bringing the **net migration** to +34,436 persons (0.41% of the Austrian population). With a birth balance of +2,669 persons, the population growth in Austria resulted in 2008 as in the preceding years foremost from a positive net migration. In line with a long-term trend, the positive net migration in 2008 was composed of a positive migration gain of foreign nationals only (+39,412). Austrian nationals had as in former years a negative migration balance (-4,976 persons).

The recorded **inflows** of 110,074 persons represented an increase of +3.2 per cent compared to 2007 (106,659). This lay in contrast to the European trend of decrease of 6 per cent in inflows into the EU Member States. In a broader national context, the increasing trend in annual inflows has been going on since 2006. The level of inflows lay in 2008 above the level of 2002 (108,125) but yet below the inflows of 2003 (111,869), 2004 (122,547) and 2005 (114,465). This new upswing of immigration has to be seen in the light of the accession of Romania and Bulgaria of the European Union in 2007. The nationalities of the immigrants underline in general an increasing intra-European mobility to Austria and the continued immigration from South-Eastern Europe while immigration from (other) third countries lost since importance in the last several years.

At the same time, in line with a European trend of increasing emigration (+13%), the number of **outflows** grew by +5.2 per cent from 71,928 persons in 2007 to 75,638 persons in 2008, representing the largest number in outflows in recent years. The biggest share was formed by intra-EU mobility of citizens of other EU-27 countries; a further third of all outflows was composed by third country nationals. Austrian nationals formed the biggest grouping of single nationalities, with more than a quarter of all outflows.

On 1 January 2009, a number of 870,704 persons (10.4 per cent) of the total **population stock** had a foreign nationality. With this, Austria was 7th ranked in the number of foreign-nationals residing in the country among the EU Member States. Of the foreign nationals, 62.9 per cent (547,402) were third country nationals, 36.4 per cent (316,995) were citizens of another EU Member State and 6,307 composed of persons of whom the citizenship was unknown. The proportion of foreign born on the total population was 15.3 per cent and a number of 1,441,451 persons (17.5%) had a foreign background. Thereof, three-quarters (1,078,075) were first generation immigrants, another quarter (363,376) were born in Austria. Regarding their country of birth, about a quarter (25.2%; 363,376) were born in Austria, 26.8 per cent (386,813) in another EU country and almost half of them (48.0%; 691,262) in a third country, especially in countries of Former Yugoslavia (346,199) and Turkey (160,102).

Since the high in 2003, the number of **naturalisations** has decreased continuously to 10,268 in 2008. This number represents a decrease of more than a quarter (-26.9 %) compared to 2007 (14,041) and the lowest number in annual naturalisations in the last 18 years (1990: 9,198). The decrease can be seen on the one hand in light of a tightening the possibilities to obtain Austrian citizenship in 2006, in particular the income level that had to be proven

before naturalization was seen as the main obstacle for obtaining Austrian citizenship. (On the other hand it reflects the low immigration to Austria in the second half of the 1990s. In 2008, no legal changes were implemented.

In 2008, 21,783 **first residence permits** were issued: in two-thirds of the cases for family reasons (14,440; 66.1%), in 14.2 per cent for reasons of remunerated activities (3,096), in 13.1 per cent for education reasons (2,853) and in 6.6 per cent for other reasons than these. The main country of citizenship of persons to whom first residence permits were issued were traditional countries of origin for immigration to Austria: Turkey (4,289; 19.7%) and countries of Former Yugoslavia: Serbia (3,058; 14.0%), Bosnia and Herzegovina (1,961; 9.0%), Croatia (1,135; 5.2%), Kosovo (875; 4.0%) and the Former Yugoslav Republic of Macedonia (732; 4.0%). At the end of 2008, a total of 457,034 **residence permits** were valid in Austria. More than a quarter of all permits were held by nationals of Serbia (118,772, 26.0%), Turkey (96,995; 21.2%) and Bosnia and Herzegovina (91,098; 19.9%).

In recent years, as in other industrialised countries a continued decline in **asylum applications** could be observed in Austria. The year 2002 recorded the highest numbers in asylum applications in Austria (39,355) in recent years, whereas there were only 24,634 asylum applications in 2004, 13,349 in 2006 and 11,921 in 2007. As in 2007, the main country of citizenship of asylum applicants was the Russian Federation with 27.0 per cent (3,445) of all applications. With 1,700 asylum applicants (13.3% of all applicants), Serbia was ranked second, followed by applications from Afghanistan (1,345; 10.5%), Nigeria (530; 4.2%), Georgia (510; 4.0%), Iraq (500; 3.9%), Turkey (415; 3.3%), Somalia (380; 3.0%), Armenia (360; 2.8%) and India (355; 2.8%). At the end of December 2008, 30,355 asylum applications were pending in Austria; a number of 4,165 asylum applications were withdrawn during the year. A number of 695 asylum applications were launched by unaccompanied minors in Austria in 2008. This figure lies beyond the number of 1,212 asylum applications logged as such in 2004 and 881 such applications in 2005; however, after a decline to 488 asylum applications in 2006, since 2007 (582 applications), the trend of rising numbers of asylum applications of unaccompanied minors continued.

In the reporting year, a number of 12,690 **first instance decisions** on applications for asylum were completed in Austria. Some 72.8 per cent of these were rejected, in 17.4 per cent international protection according to the Geneva Convention was granted and in 9.8 per cent of the cases a subsidiary protection status was acquired. No decisions on temporary protection were taken. A total of 9,310 **final instance decisions** were taken in Austria in 2008. In more than three-quarters of the decisions, a negative decision was taken. Geneva Convention protection status was granted in 18.7 per cent of all decisions, subsidiary protection status in 5.3 per cent.

Concerning **Dublin statistics**, a number of 1,755 requests to take back or take charge of asylum applicants were addressed by other Member States to Austria in 2008. Most requests (almost a third of all requests) were made by Germany, followed by requests of France (18.4%) and Italy (7.7%). In more than half (56.1 %) of the requests, the request was accepted and in about a third (35.8 %) a transfer was carried out.

In contrast, Austria posed a total of 4,277 taking charge and taking back requests to other Member States. Almost half (48.9%) of all taking these requests were addressed to Poland followed by requests to Greece (9.8%) and Italy (9.2%). In 89,1% of them were accepted and in 29.9% a transfer was carried out. As such, 29,9 per cent of all requests were followed by a transfer.

While the numbers of **refused persons** have oscillated between the years 1998 to 2006 between 29,128 and 17,595, in 2007, in total 5,636 refusals at the Austrian borders were recorded, representing a sharp decrease of 80.7 per cent compared to 2006. The reason for such a sharp decrease of refusals can largely be ascribed to the EU-2 (Romania and

Bulgaria) accession as EU Member States and their ensuing right to settle in Austria. Of the 2,715 persons refused entry at the Austrian border in 2008, the great majority (89.3%; 2,425) of them were refused at the land border and another 290 (10.7%) at the air border. In more than two-thirds (1,865; 68.7%) of all cases, persons were refused for reasons of lack of valid travel document(s) following by the reason of missing of a valid visa or a residence permit (640; 23.6%).

A total number of 14,500 persons were **apprehended** in Austria in 2008. This represents an increase of +6.7 per cent (+906) compared to 2007 where a 13,594 persons who were present on Austrian territory without legal permission, were apprehended. Before that, from 2006 to 2007, annual numbers decreased sharply (-64.4%) on a year-to year basis. As with the sharp decline of the number of refusals at Austrian borders in 2007, the decline in apprehensions is mainly seen in the context of the exclusion of citizens of Romania (21,430 apprehension in 2006) and Bulgaria (1,392 apprehensions in 2006) in the statistics, as a result of EU accession on 1.01.2007.

In 2008, some 8,870 persons were **ordered to leave** Austria. A number of 5,855 returned following an order to leave. Representing almost a quarter of all orders (2,305), Serbia was the main country of citizenship of third country nationals ordered to leave, followed by citizens from Turkey (680; 7.7%) and Nigeria (580; 6.8%).

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List of Abbreviations

BGBI	Bundesgesetzblatt	Federal Law Gazette
EC	Europäische Kommission	European Commission
EEA	Europäischer Wirtschaftsraum	European Economic Area
EMN	Europäisches Migrationsnetzwerk	European Migration Network
EU-8	Estland, Lettland, Litauen, Polen, Slowakei, Slowenien, Tschechische Republik, Ungarn	Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia
EU-10	Estland, Lettland, Litauen, Malta, Polen, Slowakei, Slowenien, Tschechische Republik, Ungarn, Zypern	Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia
EU-14	Belgien, Dänemark, Deutschland, Finnland, Frankreich, Griechenland, Irland, Italien, Luxemburg, Niederlande, Österreich, Portugal, Schweden, Spanien, Vereinigtes Königreich	Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Spain, Sweden, United Kingdom
IOM	Internationale Organisation für Migration	International Organization for Migration
FMI	Bundesministerium für Inneres	Ministry of the Interior
NCP	Nationaler Kontaktpunkt	National Contact Point
UNHCR	Flüchtlingshochkommissariat	United Nations High Commission for Refugees

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1. INTRODUCTION

The “Annual Report on Migration and International Protection Statistics 2008 for Austria” is the Austrian contribution to the EMN Synthesis Report “Annual Report on Migration and International Protection Statistics 2008 for the European Union Member States” which will be published in early 2011 and aims to facilitate comparisons and interpretations pertaining to migratory trends on the European level, as well as in the international context. The opinions presented in the report are those of the authors and do not necessarily represent the position of the Austrian Federal Ministry of the Interior or the International Organization for Migration (IOM).

This National Report describes the statistical trends of migration, international protection, refusals, apprehensions, residence permits and return for the reference year 2008 in Austria. In chapter 2, the methodology of the National Report, including in the verification of Eurostat data is outlined. Chapter 3 focuses on international migration, usually resident population and acquisition of citizenship. In chapter 4, yearly developments on international protection including applications for international protection, decisions on international protection, unaccompanied minors and Dublin transfers are described. The prevention of illegal entry, stay, refusals and apprehensions are the focus of chapter 5 and residence permits and residence of third country nationals are analysed in chapter 6. Chapter 7 describes return trends as well as the relationship between refusals, apprehensions and returns. For more detailed statistics as well as further breakdowns by age and sex, see the set of standardised tables developed by the European Commission and the EMN NCPs available at the EMN Website.⁷

Beyond statistical trends and developments, each chapter includes contextual interpretation (legal, political and international factors) of the data.

For in depth information on policy and legal developments in 2008 in Austria and European Union Member States the reader is referred to the National Report⁸ and the Synthesis Report⁹ of the EMN Annual Policy Report 2008.

The main body of the report was written by Elisabeth Petzl, researcher, and Mária Temesvári, legal adviser, both from the National EMN Contact Point Austria. Thanks go to Katharina Hausner and Simone Tappert for the editing of the report. The national data providers on international protection and migration statistics, the Federal Ministry of the Interior, the Asylum Court and Statistics Austria were involved by responding to specific questions that arose during the report and in the verification process of Eurostat data. We would like to thank Rudolf Misurec and Franz Buchmayer, Federal Ministry of the Interior, Peter Kranabetter, Federal Asylum Office, and Stephan Marik-Lebeck, Statistics Austria for the undertaking in this exercise and their support.

⁷ EMN Standardised Tables of Statistics, available at <http://emn.intrasoft-intl.com/Downloads/download.do;jsessionid=41A44F72461251FFD521873B1DE119A3?fileID=788> (accessed on 30 October 2010)

⁸ IOM Vienna, Annual Policy Report 2008. National EMN Report Austria, Vienna 2009, available at http://www.emn.at/images/stories/APR_2008_AT.pdf (accessed on 12 January 2010)

⁹ EMN, Synthesis Report to the EMN Annual Policy Report 2008, Brussels 2010, available at <http://emn.intrasoft-intl.com/Downloads/prepareShowFiles.do;jsessionid=A46C9DAA0FB18EC9E5196944071B2ECA?entryTitle=02> (accessed on 12 January 2010)

2. METHODOLOGY

This National Report follows common specifications that have been developed by the EMN based on previous experience with annual reports and following the outcomes of a statistics workshop held in September 2009.

Because the editing of this report was subject to Regulation (EC) 862/2007¹⁰ for the first time, the reporting year 2008 constitutes a break with previous years. In accordance with this Regulation, from reference year 2008 onwards, the national data suppliers of the EU Member States have an obligation to supply statistics on migration and international protection to Eurostat. This method of working has considerably improved the uniformity of definitions. It should be noted however, that for the reference year 2008, the statistics supplied to Eurostat under this Regulation may be based on alternative (national) definitions. Wherever data refers to national definitions, this is indicated in the respective chapters. Another result of the Regulation is that data for a number of elements has been collected in this specific way for the first time, which means that a comparison with reports from previous years is not always possible. In contrast to previous years, a breakdown has been made in most categories by age and sex. In addition, data relating to the application of Regulation (EC) 343/2003 (Dublin Regulation) is included in this report for the first time.

Most data used in this report has been extracted from the E-Database of Eurostat, the statistical office of the European Union. As part of the verification process used for the editing of the EMN Annual Statistics Reports, Eurostat data was verified with data on international migration published by Statistics Austria, international protection and residence permit statistics transferred to Eurostat by the Austrian Federal Ministry of the Interior and data on Dublin transfers submitted by the Federal Asylum Office. Furthermore, additional data published by Statistics Austria was included. In order to put national statistics into a European and international context, additional sources (e.g. UNHCR data, data collected by CIREFI, Eurostat publications) were used.

As agreed in the common specifications, the report and data provided focus primarily on third country nationals, which are defined as persons who are not citizens of the European Union within the meaning of Article 17(1) of the Treaty, including stateless persons. This also means, following accession on 1st January 2007, that nationals of Bulgaria and Romania are considered to be EU nationals.

Nonetheless, when deemed especially relevant, information and data on intra-EU mobility (i.e. movement of EU nationals from one Member State to another) were included (especially in data on international migration flows).

¹⁰ Regulation (EC) No 862/2007 of the European Parliament and the Council of 11 July 2007 concerning Community statistics on migration and international protection, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:199:0023:0029:EN:PDF> (accessed on 30 September 2010)

3. INTERNATIONAL MIGRATION, USUALLY RESIDENT POPULATION AND ACQUISITION OF CITIZENSHIP

This chapter illustrates main developments in the field of international migration flows, usually resident population and acquisition of citizenship in Austria for the reference period 2008.

3.1 International Migration Flows

Since the reporting year 2002 (internal and international) migration statistics in Austria are based on administrative registrations and de-registrations derived from the Central Register of Residence (Zentrales Melderegister, ZMR).

Definitions stated in Article 2.1 of Regulation (EC) 862/2007 (i.e. one year criteria for minimum time of residence) were not applied for the inflow and outflow data for the reference period 2008 presented in this report; instead, the national definitions for inflows and outflows were maintained. Consistent with the UNECE Recommendations on Statistics of International Migration of 1998,¹¹ national definitions describe a “migrant” as a person whose stay or absence, respectively, exceeds 90 days, which is applied to both internal and international migrants.¹² This accounts for all groups (nationals, EU citizens, third country citizens). Statistics on international migration flows according to Regulation (EC) 862/2007 will first be available for the reference year 2009.¹³

Table 1: Data source and time criteria for international migration flows in Austria

	Data Source			Time criteria		
	Nationals	EU nationals	Third country nationals	Nationals	EU nationals	Third country nationals
Inflows	Central Register of Residents			3 months		
Outflows	(Zentrales Melderegister, ZMR)					

Source: Poulain, Perrin and Singleton (2006).

In 2009, a revision of population statistics, carried out by Statistics Austria to take into account the results of a test census in 2006, made necessary the revision of migration statistics for the period 2002-2007. In the following report, these revised statistics have been used.

3.1.1. Inflows

From 2001 to 2005, net migration to Austria increased again considerably (+41,000 persons on average annually), a trend which was mainly a consequence of an increased immigration due to family reunifications of third country nationals as well as immigration of EU nationals.¹⁴ More restrictive laws were introduced for third country nationals in 2006 based on these developments.¹⁵ These have caused a decline in inflow figures (inflows in 2006 were at a

¹¹ UN Department of Economic and Social Affairs Statistics Division, Recommendations on Statistics of International Migration, 1998, p.31., available at http://unstats.un.org/unsd/publication/SeriesM/SeriesM_58rev1E.pdf (accessed on 14 September 2010)

¹² For further information see Statistics Austria, Standard-Dokumentation Metainformationen (Definitionen, Erläuterungen, Methoden, Qualität) zur Wanderungsstatistik, available at http://www.statistik.at/web_de/wcmsprod/groups/gd/documents/stdok/029352.pdf#pagemode=bookmarks (accessed on 12 September 2010)

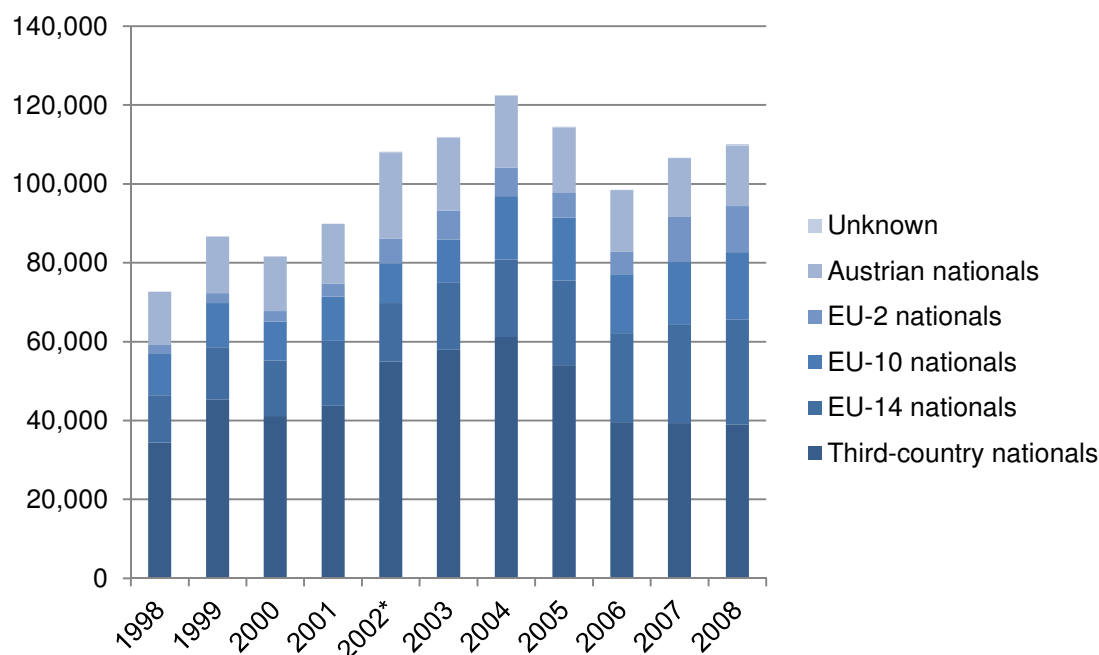
¹³ Information provided by Stephan Marik-Lebeck, Statistics Austria, 11 November 2011.

¹⁴ Statistics Austria, Wanderungsstatistik 2008, available at http://www.statistik.at/dynamic/wcmsprod/idcplg?IdcService=GET_NATIVE_FILE&dID=58601&dDocName=042300 (accessed on 15 October 2010)

¹⁵ For further information see IOM Vienna 2009b; IOM Vienna, Annual Report on Migration and Asylum Statistics 2007, National EMN Report, Vienna 2009, available at http://www.emn.at/images/stories/ASR_2007_AT.pdf (accessed on 23 September 2010)

level of 98,535 persons, the lowest recorded annual numbers of inflows since the year 2000) and at the same time shifted the weight of inflows to EU nationals as shown in Figure 1.

Figure 1: Inflows by groups of countries of citizenship, 1998-2008



Source: Eurostat Database, as of 15 September 2010.
Note: Series break in 2002.

In 2008, Austria recorded an inflow of 110,074 persons, which signifies an increase of +3.2 per cent compared to 2007 (106,659). This lay in contrast to the European trend of decrease of 6 per cent in inflows into the EU Member States recorded by Eurostat.¹⁶ In a broader national context, the growing trend in annual inflows has been going on since 2007. The level of inflows lay in 2008 above the level of 2002 (108,125) but yet below the inflows of 2003 (111,869), 2004 (122,547) and 2005 (114,465). This new upswing of immigration has to be seen in the light of the accession of Romania and Bulgaria of the European Union in 2007 (see Table 2).¹⁷

In August 2008, within the context of pessimistic long-term labour market forecasts, Austria (along with Germany) decided to extend the transitional restrictions' on the movement of workers from the EU-8¹⁸ until May 2011. Access to the Austrian labour market is also restricted for Bulgarian and Romanian citizens at most until December 2013. Apart from the extension of the transition regulations, the crisis had no immediate impact on migration procedures or legislation.

¹⁶ Eurostat, Statistics in Focus 1/2011. Immigration to EU Member States down by 6% and emigration up by 13% in 2008, 2011, available at: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-11-001/EN/KS-SF-11-001-EN.PDF (accessed on 30 September 2010).

¹⁷ Statistics Austria, Wanderungsstatistik 2008. Vienna 2009: available at http://www.statistik.at/dynamic/wcmsprod/idcplg?IdcService=GET_NATIVE_FILE&dID=58601&dDocName=042300 (accessed on 15 October 2010)

¹⁸ Poland, Lithuania, Latvia, Estonia, the Czech Republic, Slovakia, Hungary and Slovenia.

Table 2: Inflows by groups of countries of citizenship, 2006-2008

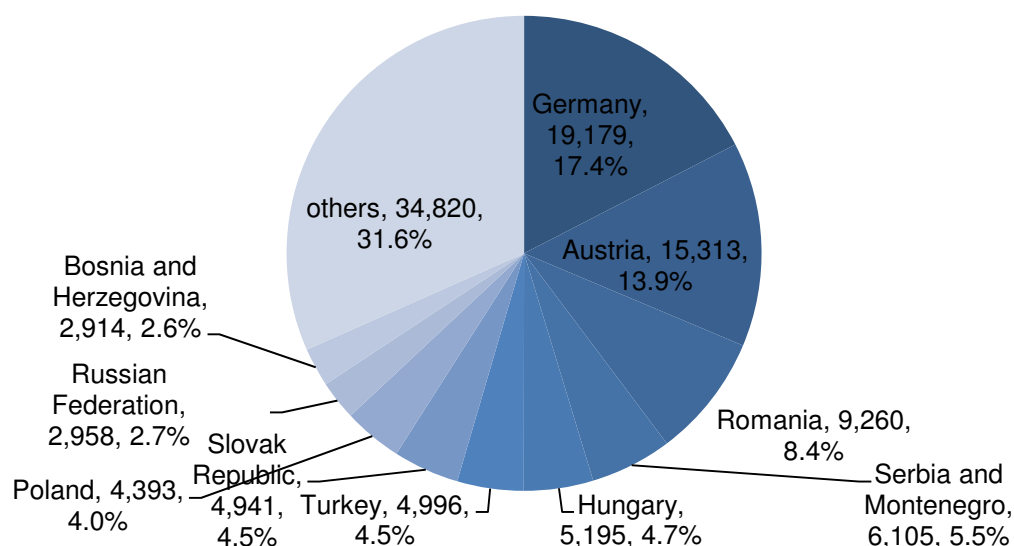
Country of citizenship	2006	2007	2008	Change 2006-2008 in %
Austrian nationals	15,636	15,651	15,313	-2.1%
Third country nationals	39,702	38,757	39,440	-0.7%
Other EU 27 nationals	43,197	52,251	55,321	+28.1%
EU-15 nationals	22,536	25,062	26,601	+18.0%
EU-10 nationals	14,921	15,746	16,994	+13.9%
EU-2 nationals	5,740	11,443	11,726	+104.3%
Total	98,535	106,659	110,074	

Source: Eurostat Database, as of 15 September 2010.

Of the total recorded inflows in Austria in 2008, more than half (55,321; 50.3%) were constituted by intra-EU mobility of citizens of other EU Member States, 39,440 (35.8%) were composed by third country nationals and 15,313 (13.9%) by inflows of Austrian nationals. The nationalities of the immigrants underline the increasing intra-European mobility to Austria and the continued immigration from South-Eastern Europe while immigration from (other) third countries lost importance in the last several years.

With regard to EU nationals, the biggest share of inflows was formed by other EU-15 nationals (26,601; 48.1%), 30.7 per cent (16,994) of EU-10 nationals and 21.2 per cent (11,726) of EU-2 nationals. Looking closer at countries of citizenship, as in the preceding years, the majority of EU nationals coming to Austria were by large German nationals representing 34.7 per cent (19,179) of all inflows, followed by citizens from Romania (9,260; 16.7%), Hungary (5,195; 9.4%), the Slovak Republic (4,941; 8.9%) and Poland (4,393; 7.9%).

Figure 2: Inflows by main countries of citizenship, 2008



Source: Eurostat Database, as of 15 September 2010.

More than three quarters of the inflows of third country nationals (30,227; 77.4%) were composed of persons with a citizenship other than EFTA and EU-Candidate countries, of which more than half (16,698; 55.2%) were from highly-developed countries. A further 20.6

per cent (8,046) of the third country nationals were from EU-Candidate countries¹⁹ and 782 immigrants (2.0%) were from non-EU/EFTA countries²⁰.

The top five countries of citizenship of third country nationals were Former Serbia and Montenegro (before 2006)²¹ (6,105; 20.2% of the total third country nationals), Turkey (4,996; 12.8%), the Russian Federation (2,958; 7.6%), Bosnia and Herzegovina (2,914; 7.4%) and Croatia (2,029; 5.2%).

Table 3 illustrates the main grouping of inflows by country of citizenship, country of birth and country of previous residence.

Table 3: Inflows by main grouping of immigration by counties citizenship, countries of birth and countries of previous residence, 2008

Inflows by country of citizenship	Total	Inflows by country of birth	Total	Inflows by country of previous residence	Total
Austria	15,313	Austria	12,947	---	---
Other EU-27	55,321	Other EU-27	55,092	Other EU-27	59,396
Third countries	39,055	Third countries	41,856	Third countries	41,860
<i>Former Serbia and Montenegro</i>	6,105	<i>Former Serbia and Montenegro</i>	6,438	<i>Former Serbia and Montenegro</i>	6,098
<i>Turkey</i>	4,996	<i>Turkey</i>	5,167	<i>Turkey</i>	5,199
<i>Russian Federation</i>	2,958	<i>Bosnia & Herzegovina</i>	3,697	<i>Bosnia & Herzegovina</i>	3,060
<i>Bosnia & Herzegovina</i>	2,914	<i>Russian Federation</i>	3,110	<i>Russian Federation</i>	2,942
<i>Croatia</i>	2,020	<i>Iran (Islamic Rep. of)</i>	1,823	<i>United States</i>	2,076
<i>Iran (Islamic Rep. of)</i>	1,698	<i>United States</i>	1,688	<i>Croatia</i>	1,881
<i>United States</i>	1,661	<i>Croatia</i>	1,229	<i>Iran (Islamic Rep. of)</i>	1,754
<i>China (incl. Hong Kong)</i>	1,203	<i>China (incl. Hong Kong)</i>	1,223	<i>Switzerland</i>	1,276
<i>Macedonia, Form. Yug. Rep.</i>	1,030	<i>Macedonia, Form. Yug. Rep.</i>	1,064	<i>China (incl. Hong Kong)</i>	1,179
<i>Afghanistan</i>	1,005	<i>India</i>	1,022	<i>Macedonia, Form. Yug. Rep.</i>	1,048
Total	110,074	Total	110,074	Total	110,074

Source: Eurostat Database, as of 15 September 2010.

In general, the majority (54.0%) of the immigrants in 2008 were male, 46.0 per cent were female. Different patterns can be found when looking at the citizenship of immigrants by specific regions or on the country-level: while the gender-ratio of third country immigrants from high and medium developed countries was equally balanced (52.7% males and 49.6% females), male immigrants formed the majority (71.4%) of third country nationals from less developed countries. Furthermore, also two thirds (66.1%) of the inflows of Austrian nationals were male.

Almost half of the inflows were (47.7%) comprised of young adults (age group 20-34 years). The average age of immigrants was 30.5 years. According to Statistics Austria,²² these figures suggest that immigration is mainly undertaken in the context of labour migration, family reunification or migration for educational reasons. A further 31.2 per cent was aged between 35-64 years. Minors came up to 18.4 per cent and only a small proportion of 2.6 per cent were aged above 65.

¹⁹ Croatia, the Former Yugoslav Republic of Macedonia and Turkey.

²⁰ Island, Lichtenstein, Norway and Switzerland.

²¹ Total components of Former Serbia and Montenegro (before 2006). Hereafter referred to as "Former Serbia and Montenegro".

²² Statistics Austria, Wanderungsstatistik 2008, Vienna 2009, available at

http://www.statistik.at/dynamic/wcmsprod/idcplg?IdcService=GET_NATIVE_FILE&dID=58601&dDocName=042300 (accessed on 15 October 2010)

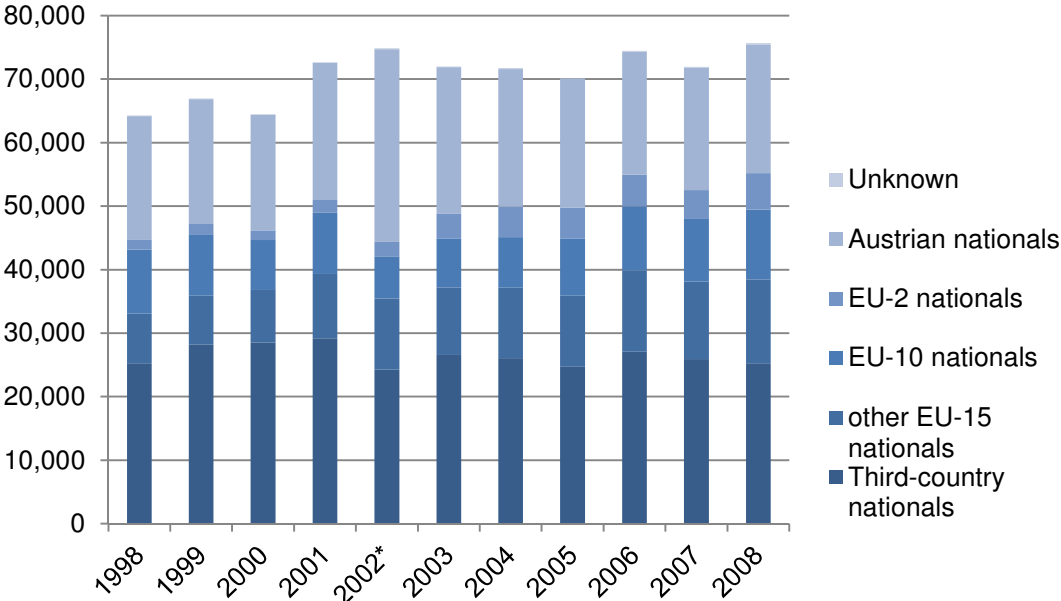
Significant differences arise for specific groups of citizenship: The inflows of Austrian nationals showed larger proportions in the older age groups, with a share of 45.9 per cent (7,028) aged 35-64 years and 5.4 per cent (819) aged 65 years and above. Their average age (35.1 years) was five years above the one of immigrants with a foreign nationality (29.7 years). In contrast to this, third country nationals were younger than the average immigrant: almost a quarter (9,640; 24.7%) of them was aged below 19 and nearly a half (19,283; 49.4%;) of them were aged 20-34. Especially third country nationals from less developed countries were stronger represented in the younger age groups: 40.7 per cent (1,307) were minors and 46.5 per cent were 20-34 years old. The oldest immigrants by single nationality were German nationals; they were on average 31.4 years old at the time of their immigration; the youngest were Turkish nationals with an average of 26.6 years.

3.1.2. Outflows

Recorded outflows, situated between a minimum of 70,133 (2005) and a maximum of 74,831 (2002) persons, have been relatively stable from 2002 to 2007. In 2008, in line with a European trend of increasing emigration (+13%),²³ the number of outflows from Austria grew by +5.2 per cent from 71,928 persons in 2007 to 75,638 persons in 2008, representing the largest number in outflows when looking at the time period since 2002 (see Figure 1).

The biggest share was formed by intra-EU mobility of citizens of other EU-27 countries who represented 39.6 per cent (29,916) of all outflows. A further third of all outflows was composed by third country nationals (25,268; 33.4%).

Figure 3: Outflows by groups of countries of citizenship, 1998-2008



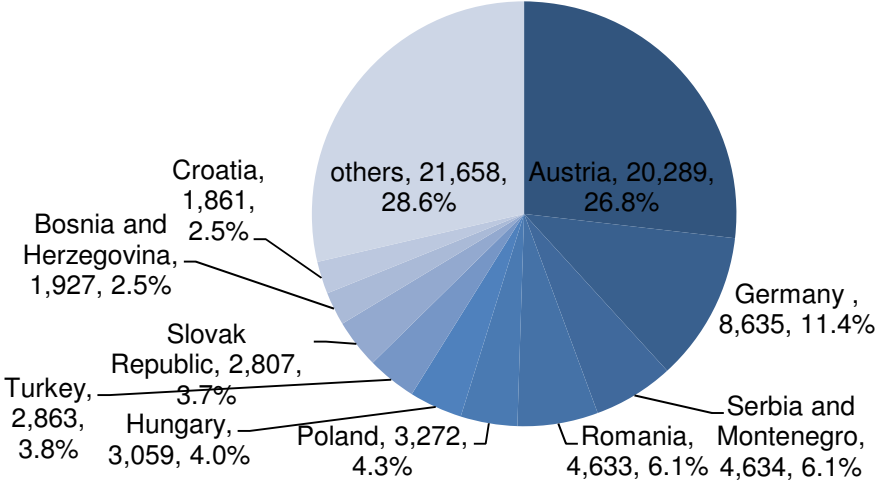
Source: Eurostat Database, as of 15 September 2010.
 Note: Series break in 2002.

Austrian nationals formed the biggest grouping of single nationalities, with more than a quarter of all outflows (20,289; 26.8%). The main nationalities of citizens of other EU-27 countries were from Germany (8,635; 28.7% of their total outflows), Romania (4,633; 15.5%), Poland (3,272; 10.9%) and Hungary (3,059; 10.2%).

²³ Eurostat 2011.

Third country nationals that emigrated were mostly from Former Serbia and Montenegro (4,634; 18.3% of all outflows of third country nationals), Turkey (2,863; 11.3%), Bosnia and Herzegovina (1,927, 7.6%) and Croatia (1,861; 7.4%).

Figure 4: Outflows by main countries of citizenship, 2008



Source: Eurostat Database, as of 15 September 2010.

In terms of overall numbers, 59.1 per cent of all emigrants were male. The average age of the emigrants was 33.1 years. The biggest age groups were formed by 20-34 (34,163; 45.2%) and 35-64 (27,814; 36.8%) aged persons. The Austrian emigrants, who were on average aged 33.8 years, were slightly older than the foreign national emigrants (33.0 years). According to Statistics Austria, the stock of foreign nationals of the average age of the emigrants already residing in Austria for a longer period is due to return migration in the context of retirement an important parameter. This would explain why emigrants with a nationality of countries of Former Yugoslavia (without Slovenia) and Turkey with each 37.1 years held the highest average age.

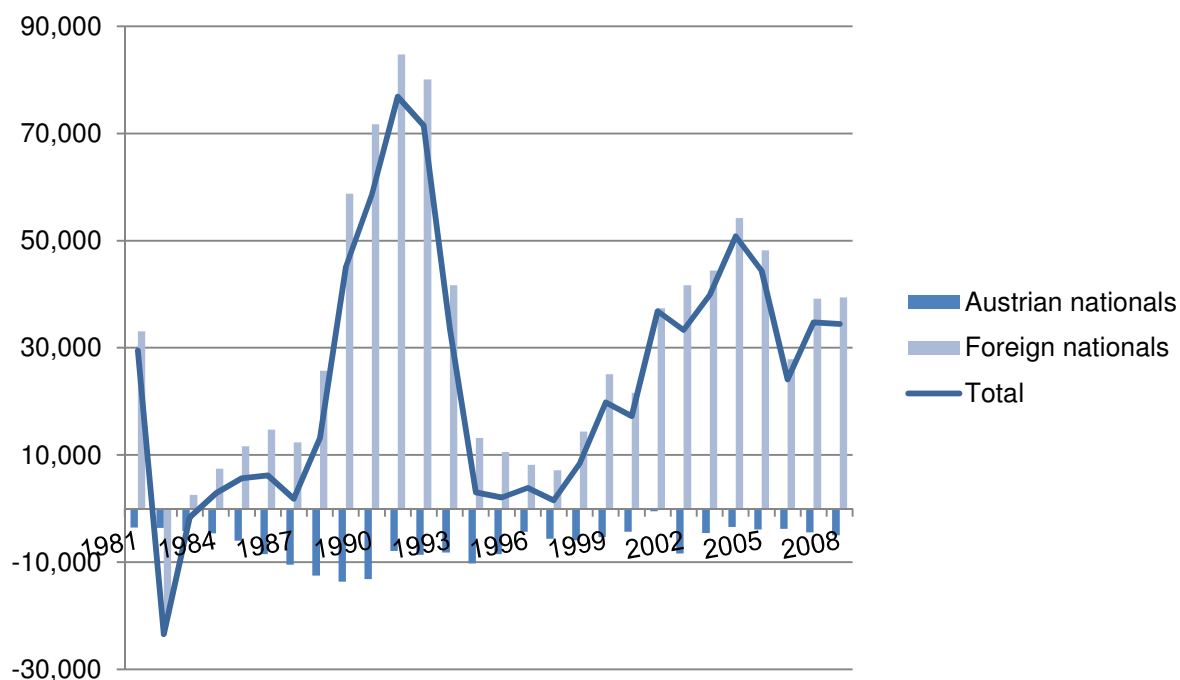
3.1.2. Net Migration

As laid out above, in 2008, a number of 110,074 inflows were contrasted by a number of 75,638 outflows, bringing the net migration to +34,436 persons (0.41% of the Austrian population). With a birth balance of +2,669 persons, the population growth in Austria resulted in 2008 as in the preceding years foremost from a positive net migration.

In comparison, in 2007, the numbers of net migration in 2007 were +34,731 persons (or 0.42%) and as such only insignificantly higher over the value in 2008. Further, net migration in 2008 was approximately at the same level as in 2002 (+33,294) and 2003 (+39,873), yet stayed below the migration balance of 2004 (+50,826) and 2005 (+44,332).

In 2008, in line with a long-term trend, the positive net migration was composed of a positive migration gain of foreign nationals only (+39,412). Austrian citizens had as in former years a negative migration balance (-4,976 persons).

Figure 5: Net migration by groups of countries of citizenship, 1981-2008



Source: Statistics Austria, Statistics of the Population Stock.

Notes: Figures for 1981-1995: estimated net migration. From 1996: Wanderungsstatistik, compiled on 01.10.2010. 2001: estimated and on 01.10.2010 revised net migration.

As already outlined above, the range of countries of citizenship of immigrants reflect growing migration linkages to other EU Member States and continued immigration flows from South-Eastern European countries. As in former years, most inflows were composed of nationals from other EU Member States (25,405; 76.8%). Their migration gain was +25,706 persons, of which 41.5 per cent (+10,544) were from Germany: A strong increase (+13.8%) was also found in the inflows from Hungary (2007: +1,815; 2008: +2,065) and the Slovak Republic (+75.2%; 2007: +1,233; 2008: +2,160), especially in the context of the immigration of care workers.²⁴

In contrast, the net migration of third country nationals has been more than cut in half since 2005 (from +29,237 in 2005 to 12,288 in 2006). In particular, in context of the more stringent legal provisions of 2006, Since then, net migration increased again, however amounted to less than half of the level of 2005 (2007: 12,861; 2008: 14,007).

Especially the net migration gain of nationals of Former Yugoslavia (without Slovenia) (+3,160 persons in 2008 compared to +2,803 in 2007) increased, particularly through an increase by 30 per cent of nationals of Serbia, Montenegro and Kosovo. In contrast, the migration gain of Turkish nationals decreased (2008: +2,133; 2007: +2,243). The migration gain of non-European nationals decreased moderately (-6%).

²⁴ IOM Vienna, Annual Report on Migration and Asylum Statistics 2007. National EMN Report, Vienna 2009, available at http://www.emn.at/images/stories/ASR_2007_AT.pdf (accessed on 23 September 2010)

3.2 Usual Residence

Since the reference year 2002, the register data of the Central Register of Residents constitutes the basis for the population statistical system of Statistics Austria. This allows the population stock to be displayed according to consistent criteria to any reference date and replaces the necessity to estimate and to extrapolate population figures annually.

The processing of the data stock of the Central Register of Residents is subject to a consistent concept for the classification of registrations for population and migration analysis which allows for the harmonisation of both statistics. In doing so, population statistics take into account the criteria of persons' stay, i.e. only those residents are taken into consideration who have continuously resided in Austria for at least 90 days.

According to Regulation (EC) 862/2007, usual residence means the place at which a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage or, in default, the place of legal or registered residence.

In Austria, for the place of usual residence, it is drawn to the place of legal/registered residence.²⁵

Changes in the populations of foreign nationals over time are influenced by a range of various factors: the number of births and deaths and the level of inflows and outflows play a significant role on the one side. On the other side, there is a constant change in the number of foreigners and nationals living in a country, depending on the acquisition of national citizenship. As such, a number of 215,218 non-nationals have been naturalised in Austria from 2002-2009. In the same period, the population of foreign nationals has increased by +104,921 persons. All these aspects should be taken into account when analysing the stock of foreign nationals in a country.

3.2.1. Population stock by citizenship

On 1 January 2009, the total recorded usually resident population in Austria was 8,355,260 persons. Thereof a number of 870,704 persons had a foreign nationality which accounted for 10.4 per cent of the total population stock. With this, Austria was 7th ranked in the number of foreign-nationals residing in the country among the European Union Member States after Luxembourg (42.6%), Latvia (18.3%), Estonia (17.1%), Cyprus (15.9%), Ireland (12.6%) and Spain (11.6%).²⁶

On 1st January 2009, of the foreign nationals, 63.5 per cent (553,709) were third country nationals, 36.4 per cent (316,995) were citizens of another EU Member State and 10,839 composed of persons who were stateless or the citizenship unknown.

²⁵ Eurostat Metadata on Enforcement of Immigration Legislation – Annex Third country nationals refused entry at the external borders, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an1.pdf (accessed on 3 September 2010)

²⁶ Eurostat, Citizens of European countries account for the majority of the foreign population in EU-27 in 2008, Statistics in Focus 94/2009, available at: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-09-094/EN/KS-SF-09-094-EN.PDF (accessed on 23 September 2010)

Table 4: Stock of foreign population by groups of countries of citizenship, 1st January 2004-2009

Country of citizenship	2004	2005	2006	2007	2008	2009
Total	8.142.573	8.201.359	8.254.298	8.282.984	8.318.592	8.355.260
Austria	7.388.357	7.426.958	7.457.632	7.478.205	7.483.410	7.484.556
Foreign nationals	754.216	774.401	796.666	804.779	835.182	870.704
Share foreign nationals in %	9,3	9,4	9,7	9,7	10,0	10,4
Other EU-27 nationals	208.463	227.228	247.168	263.174	289.742	316.995
Other EU-15	122.394	131.839	143.473	154.033	167.401	181.383
Germany	83.592	91.194	100.439	109.193	119.807	130.684
EU-10	59.730	67.791	75.273	80.840	87.059	94.256
EU-2	26.339	27.598	28.422	28.301	35.282	41.356
Third country nationals	545.753	547.173	549.498	541.605	545.440	553.709
Europa	443.088	440.616	439.216	430.594	428.652	434.634
Former Yugoslavia (without SI)	305.549	302.332	300.525	295.005	290.506	292.730
Turkey	123.043	116.544	113.068	108.189	109.179	110.678
other European countries	14.496	21.740	25.623	27.400	28.967	31.226
Africa	17.574	19.577	20.366	20.007	20.656	21.460
America	14.019	14.631	15.390	15.710	16.601	17.471
North America	7.326	7.527	7.779	8.043	8.422	8.755
South America	6.693	7.104	7.611	7.667	8.179	8.716
Asia	45.392	48.726	50.987	52.606	56.252	59.538
Oceania	1.148	1.139	1.178	1.219	1.278	1.377
unknown/other/stateless	17.177	14.917	14.624	13.512	13.856	10.839

Source: Statistics Austria. Statistics of the population stock. Compiled on 19.05.2010.

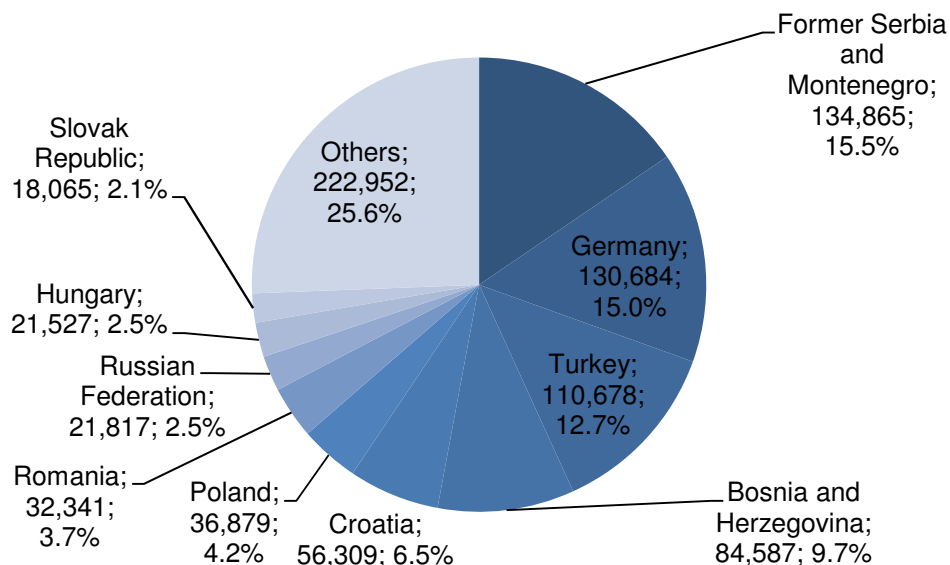
Among the main nationalities of other EU Member States were residents from Germany (130,684), Poland (36,879), Romania (32,341), Hungary (21,527) and the Slovak Republic (18,065).

Compared to 2007, with in total 41,356 persons, Bulgarian and Romanian nationals were the group of foreign nationals that grew the most, with an increase of 17.2 per cent (+6,074 persons). As already outlined above, this development can be understood within the context of the accession to the EU of these two countries in 2007.²⁷

The main nationalities of third country nationals were from countries of Former Yugoslavia such as Former Serbia and Montenegro (134,865), Bosnia and Herzegovina (84,587), Croatia (56,309), Turkey (110,678) and the Russian Federation (21,817). Among the non-European nationals, nationals from Asia represented with 59,538 persons the biggest group.

²⁷ Statistics Austria, Demographisches Jahrbuch 2008, Vienna 2009, available at http://www.statistik.at/dynamic/wcmsprod/idcplg?IdcService=GET_NATIVE_FILE&dID=58397&dDocName=042258 (accessed on 15 October 2010)

Figure 6: Stock of foreign nationals by main countries of citizenship, 1st January 2009



Source: Eurostat Database, as of 15 September 2010.

The gender ratio of usually resident persons in Austria in 2008 was equally balanced (48.3% males and 51.3% females). This accounts for Austrian nationals as well as most groups of foreign nationals in general. However, as in the case of inflows, third country nationals from less developed countries were in more than two-thirds of cases (67.4%) male. Similarly, among the ten main third countries of citizenship of residents, Indian residents were in the majority of cases (63.6%) male.

In 2008, one fifth of the total population (21.1%) was composed by persons aged 0-19 years and around a further fifth (19.2%) was aged 20-34 years. In 42.3 per cent, persons were aged between 35-64 years and 17.4 per cent were older than 65 years. While Austrian nationals showed a similar age structure to the total population concerning the younger age groups, they were slightly stronger presented (18.7%) in the age group of the 65+ years. In contrast to this, other EU nationals had smaller proportions of persons in the 0-19 age group (15.9%) as well as the 65+ age group (6.6%). The situation was different for third country nationals, who had a slightly higher percentage in the age group 0-19 (23.8%), and were less likely (4.8%) to be part of the 65+ age group. Among the ten main third countries of foreign nationals, residents from the Russian Federation had with 43.3 per cent the highest proportion of 0-19 aged persons.

On the provincial level, the highest proportion of foreign nationals by far resided in Vienna, where almost one in five inhabitants (20.1%) were of foreign nationality. In the federal provinces of Vorarlberg (12.8%), Salzburg (12.4%) and Tyrol (10.5%), the proportion of foreign nationals was above the national average. The federal province Burgenland had the lowest level, with 5.2%. Within the provinces, the foreign population was concentrated especially in the urban areas as well as regions characterised by tourism.

3.2.2. Population stock by country of birth

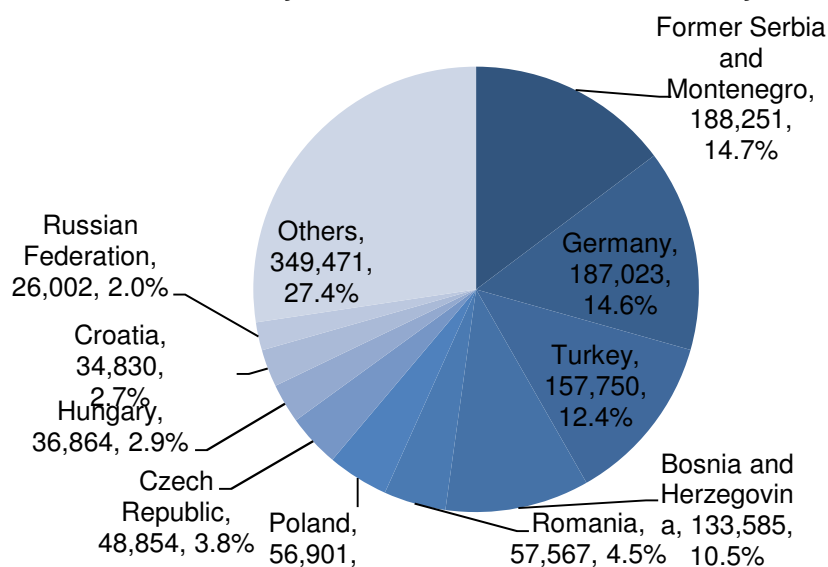
Another possibility for defining the immigrant population is to refer to the criteria of the country of birth. On 1st January 2009, 84.7 per cent (7,078,162) of the total usually resident population were born in Austria, bringing the proportion of foreign born on the total population to 15.3 per cent. Looking closer at the regions of origin, 9.1 per cent (760,869) were born in a

third country and 6.1 per cent (507,489) in another EU country. The eight main countries of birth were the same as the main countries of citizenship.

The main third countries in which foreign born immigrants residing in Austria were born were countries of Former Yugoslavia, especially Former Serbia and Montenegro (188,251), Bosnia Herzegovina (133,585) and Croatia (34,830) as well as the Turkey (157,750) and the Russian Federation (26,002).

Main countries of birth among the EU Member States were Germany (187,023), Romania (57,567), Poland (56,901), the Czech Republic (48,854) and Hungary (36,864).

Figure 7: Stock of born abroad by main countries of birth, 1st January 2009



Source: Eurostat Database, as of 15 September 2010.

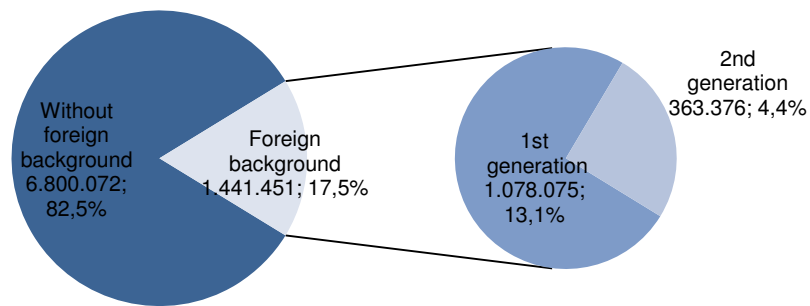
3.2.3. Population stock by foreign background

According to national definitions, persons whose both parents were born outside of the country have a foreign background. This definition follows the "Recommendations for the 2010 censuses of population and housing" of the United Nations Economic Commission for Europe (UNECE). Subsequently this group can be divided into immigrants of the first generation (persons born outside the country) and immigrants of the second generation (children of first generation immigrants born in Austria).

According to the Labour Force Survey 2008, a number of 1,441,451 persons in total (17,5%) had a foreign background. Thereof, three-quarters (1,078,075) were first generation immigrants, another quarter (363,376) were second generation immigrants. Regarding their country of birth, about a quarter (25.2%; 363,376) were born in Austria, 26.8 per cent (386,813) in another EU country and almost half of them (48.0%; 691,262) in a third country, especially in countries of Former Yugoslavia (346,199) and Turkey (160,102).²⁸

²⁸ Statistics Austria, Labour Force Survey (Microcensus) 2008 (average of all weeks of a year). Compiled on 26 March 2009. Population in private households. Country of birth of parents: in case of different countries of birth of mother and father the country of birth of the mother is used, available at http://www.statistik.at/web_en/static/results_overview_population_with_foreign_background_036095.xls (accessed on 30 October 2010)

Figure 8: Population with foreign background, 2008



Source: Statistics Austria, Labour Force Survey (Microcensus) 2008.
Notes: Average of all weeks of a year. Population in private households.

3.3 Acquisition of citizenship

For the reference year 2008, concepts as stated in Article 2.1 of Regulation 862/2007 have been used.²⁹

Statistics on the acquisition of citizenship (naturalisations) are based on data included in legal notices on the granting of citizenship held by the offices of the Austrian provincial governments. They are carried out by order of the Federal Ministry of the Interior. Statistics on naturalisations document any kind of acquisition of citizenship by the free will of the acquirer and the subsequent administrative act according to the Austrian Citizenship Act. They do not refer to automatic kinds of acquisition such as birth or legitimisation of an illegitimate child. Statistics of naturalisations include naturalisations of persons living in Austria as well as of persons living abroad.³⁰ Changes of citizenship of people residing in Austria other than naturalisations are not covered by national statistics definitions.

In the context of a veritable increase in naturalisations in the early 2000s which reached a historic high in 2003 with 44,694 naturalisations, more than a quarter of a million of persons have acquired the Austrian citizenship since 2000. This naturalisation high is primarily ascribed to the immigration boom in the beginning of the 1990s, because the persons who immigrated at that time largely fulfilled the naturalisation prerequisites ten years later.³¹

Since the high in 2003, the number of naturalisations has decreased continuously to 10,268 in 2008. This number represents a decrease of more than a quarter (-26.9 %) compared to 2007 (14,041) and the lowest number in annual naturalisations in the last 18 years (1990: 9,198). The decrease can be seen on the one hand in light of a tightening of the possibilities to obtain Austrian citizenship in 2006, in particular the income level that had to be proven

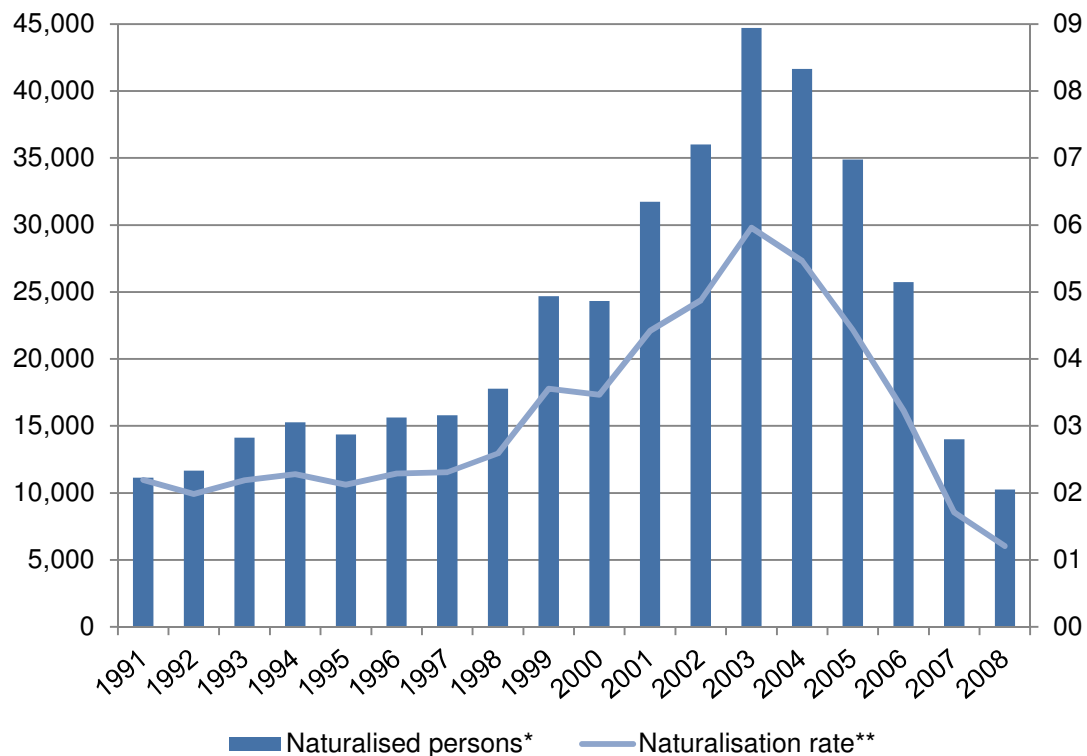
²⁹ Austria - Migration Metadata and Quality Report 2008 - Acquisition and loss of citizenship in: Eurostat, Migration Metadata and Quality Questionnaire, Data collection for the reference year 2008, Acquisition and loss of citizenship, p.55ff, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_acqn_esms_an1.pdf

³⁰ For further information see Statistics Austria, Standard-Dokumentation Metainformationen (Definitionen, Erläuterungen, Methoden, Qualität) zur Statistik der Einbürgerungen, available at http://www.statistik.at/web_de/statistiken/bevoelkerung/einbuengerungen/dokumentationen.html (accessed on 3 October 2010)

³¹ Österreichischer Integrationsfonds 2008: Zahlen Daten Fakten 2008, p.32; Statistik Austria (2009): Press release 9.309-27/09, available at http://www.statistik.at/web_de/dynamic/statistiken/bevoelkerung/einbuengerungen/035247 (accessed on 3 October 2010)

before naturalization was seen as the main obstacle for obtaining Austrian citizenship.³² On the other hand it reflects the low immigration to Austria in the second half of the 1990s. In 2008, no legal changes were implemented.

Table 5: Acquisitions of citizenship and naturalisation rate, 1991-2008



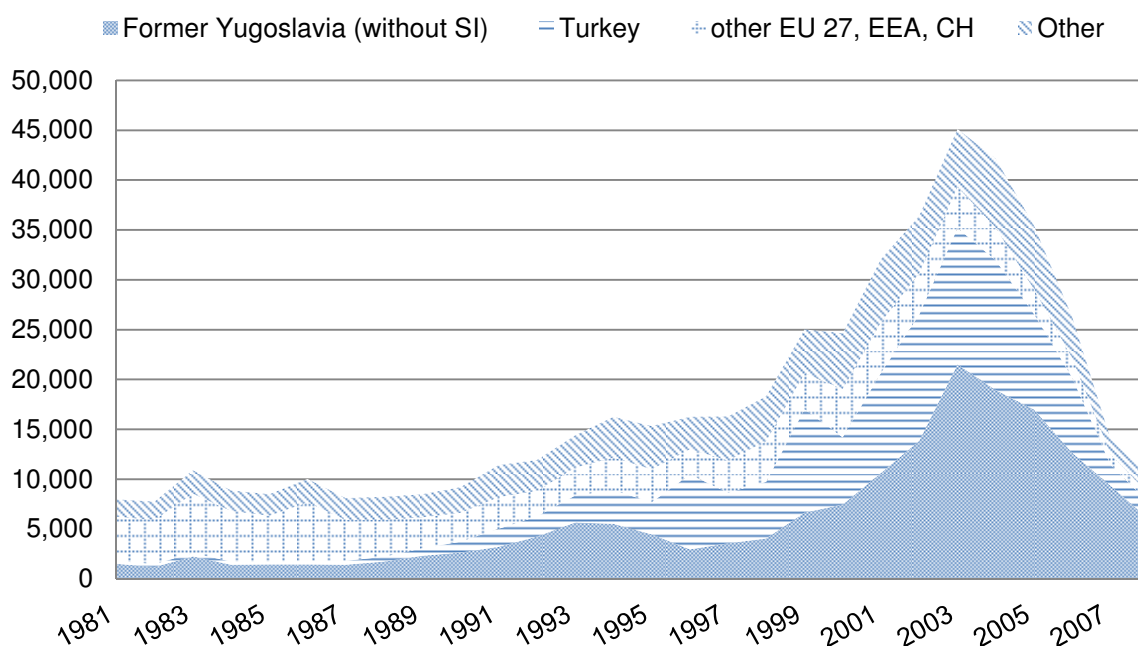
Source: Statistics Austria, Statistics of Naturalisations, compiled on 14.07.2010.

Notes: * Without naturalisations according to para. 25.1 (commencement of duties of university professors) ** Naturalisations relative to 100 foreign nationals living in Austria (yearly average of population)

As shown in Figure 9, the increase in naturalisations in the early 2000s was especially a consequence of an increase in naturalisations of citizens of the former Yugoslavia. Of this group, from 2000 to 2008, in total a number of 117,729 persons were naturalised. This accounted for 44.7 per cent of all naturalisations carried out during this period. The second largest group of naturalised persons during this time span were Turkish nationals (76,885; 29.2%).

³² Schumacher/Peyrl, Fremdenrecht, 3. Auflage, Vienna 2007, p. 264.

Figure 9: Acquisitions of citizenship by main countries of citizenship, 1981-2008



Source: Statistics Austria. SuperWeb Database, compiled on 15 January 2011.

In 2008, of the total number of naturalised persons, some 9,392 (91.5%) were from third countries, especially third countries other than EFTA and EU Candidate countries who accounted for 6,498 (63.3% of the total number of naturalised persons) followed by EU Candidate countries (2,865; 27.9%). By and large, naturalised persons from highly developed third countries predominated (5,203; 50.7 %); only 997 (9.7%) were from medium developed countries and 298 (2.9%) from less developed countries. The numbers of naturalised persons from other EU Member States were also very low. They accounted only for 854 or 8.3 per cent of all cases.

Table 6: Acquisitions of citizenship by groups of countries of previous citizenship, 2008

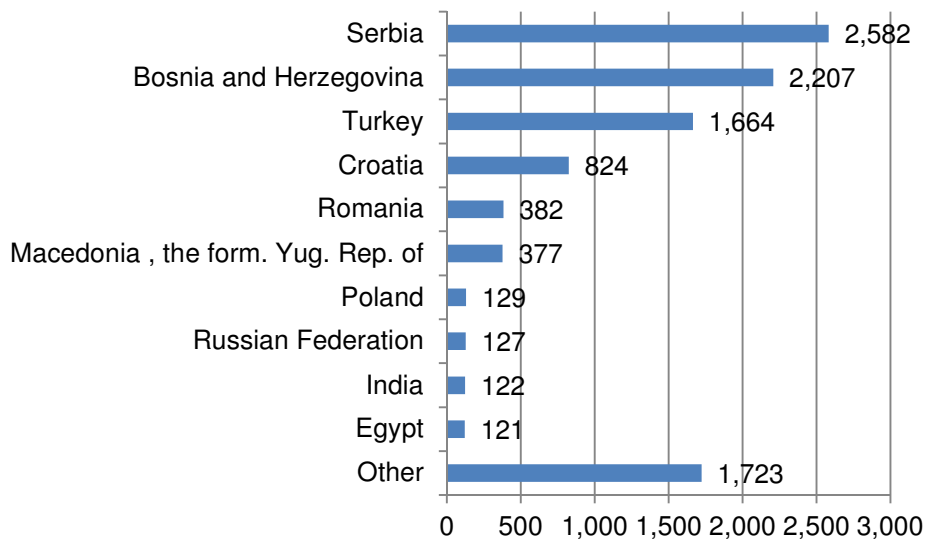
Countries of previous citizenship	Total	%
Total	10,268	100%
European Union (27 countries)	854	8.3%
Citizens of countries outside the EU-27	9,392	91.5%
- EFTA (CH, IS, LI, NO)	29	0.3%
- Candidate countries (HR, MK, TR) from 2007	2,865	27.9%
Citizens of countries other than of EU-27, EFTA and Candidate countries	6,498	63.3%
- Highly developed non-EU countries	5,203	50.7%
- Medium developed countries	997	9.7%
- Less developed countries	298	2.9%
Stateless	41	0.4%
Other	0	0.0%
Unknown	22	0.2%

Source: Eurostat Database, as of 15 September 2010.

In total, the persons that acquired Austrian citizenship in 2008 held previous citizenships of 116 different countries of origin. In line with former years, the majority of naturalised persons were from countries of the former Yugoslavia (except Slovenia) and Turkey. With almost a

quarter of all naturalisations (2,582; 25.1 %), Serbia was the main country of previous citizenship even though their numbers of acquisitions of citizenship decreased from 2007 to 2008 by -38.8 per cent. Bosnia and Herzegovina was ranked second with 2,207 naturalisations (21.5 %; change to 2007: -33.7 %), Turkey 1,664 (16.2 %; -19.9 %), Croatia 824 (8.0 %; -38.9 %) and Romania 382 (3.7 %; -16.0 %).

Figure 6: Acquisitions of citizenship by main countries of previous citizenship, 2008



Source: Eurostat Database, as of 15 September 2010.

In total, about half (5,461; 53.2%) of the naturalised persons were female. Among the top ten countries of previous citizenship, higher proportions of women were represented among naturalised persons from Poland (62.8%) and Romania (62.0%), lower ones among Afghan nationals of which only one third were female.

The biggest share of naturalisations concerned minors who comprised 4,704 (45.8%) of all acquisitions. A further quarter (2,596; 25.3%) were aged between 20-34 and further 2,809 (27.4%) were within the 35-64 age group. Only 159 (1.5%) were aged 65+ years.

4. INTERNATIONAL PROTECTION

In the following chapter, statistics³³ are presented on applications for international protection, decisions on international protection and Dublin transfers for the reference period 2008.

Data used in this chapter have been extracted from the E-database of Eurostat and as part of a verification process, checked with data on international protection statistics transferred to Eurostat and published by the Austrian Federal Ministry of the Interior and data on Dublin transfers submitted by the Federal Asylum Office. To set the data into the international context, it is referred to data published by the UNHCR.

As mentioned above, some statistics for the reference year 2008, such as data on new asylum applications, supplied to Eurostat under Regulation (EC) 862/2007 could not yet been assembled.

During the reference period an important institutional development took place in Austria. As of 1 July 2008 the Asylum Court (Asylgerichtshof) replaced the Independent Federal Asylum Senate (Unabhängiger Bundesasylsenat, UBAS) as the second instance asylum authority. Unlike the Independent Federal Asylum Senate, the Asylum Court is not only an appellate authority but a court of last resort. With the establishment of the Asylum Court, the legal remedy to the Administrative Court (Verwaltungsgerichtshof, VwGH) was abolished.³⁴ At the same time the personnel of the Asylum Court was increased. It was expected that the Asylum Court will be able to reduce the backlog of the open asylum cases and will accelerate the asylum procedure.³⁵

Only a minor amendment was introduced to the asylum law: since 1.1. 2008 persons with subsidiary protection status are granted immediate access to the labour market (not only after one year as previously).³⁶

4.1 Applications for International Protection

According to UNHCR,³⁷ as in former years, during the reference year 2008, Austria was one of the most important destinations for asylum applicants among industrialised countries. In absolute numbers, between the years 2004 to 2008, Austria with 85,170 asylum applications was ranked on 7th place after the United States (252,750), France (203,580), the United Kingdom (158,630), Canada (133,390), Germany (126,080) and Sweden (125,730). When comparing the number of asylum applicants to the size of the national population or the Gross Domestic Product (GSP) and the Purchasing Power Parity (PPP) which may allow an even better comparison between countries as they could be an indicator of the capacity of countries to host asylum applicants (ibid.), Austria ranked in the period 2004-2008 respectively on 4th and 10th place.

³³ The data presented in this chapter is rounded.

³⁴ For further information see IOM Vienna 2009b.

³⁵ Regierungsvorlage: Bundes(verfassungs)gesetz, Bundesverfassungsgesetz, mit dem das Bundes-Verfassungsgesetz geändert und ein Erstes Bundesverfassungsrechtsbereinigungsgesetz erlassen wird Vorblatt und Erläuterungen, available at: http://www.parlament.gv.at/PAKT/VHG/XXIII/I/I_00314/fname_090432.pdf (accessed on 11 October 2010)

³⁶ Regierungsvorlage: Bundes(verfassungs)gesetz, Bundesgesetz, mit dem das Ausländerbeschäftigungsgesetz und das Arbeitsvertragsrechts-Anpassungsgesetz geändert werden, available at: http://www.parlament.gv.at/PAKT/VHG/XXIII/I/I_00215/index.shtml (accessed on 11 October 2010)

³⁷ UNHCR, Asylum Trends in Industrialised Countries 2008, Geneva 2009, available at <http://www.unhcr.org/49c796572.html> (accessed on 11 October 2010)

Figure 11: Asylum levels and trends in industrialised countries, 2008

Number of asylum applicants, absolute numbers*, 2004-2008		Number of asylum applicants per 1.000 inhabitants, 2004-2008		Number of asylum applicants per 1USD (PPP) per capita, 2004-2008	
United States	252,750	Cyprus	37.7	France	6.1
France	203,580	Malta	18.2	United States	5.5
United Kingdom	158,630	Sweden	13.6	United Kingdom	4.5
Canada	133,390	<i>Austria</i>	10.2	Germany	3.7
Germany	126,080	Switzerland	8.5	Canada	3.5
Sweden	125,730	Norway	8.2	Sweden	3.4
<i>Austria</i>	85,170	Luxembourg	7.8	Turkey	2.6
Italy	74,830	Liechtenstein	6.4	Italy	2.5
Greece	70,780	Greece	6.3	Greece	2.4
Belgium	66,280	Belgium	6.2	<i>Austria</i>	2.2

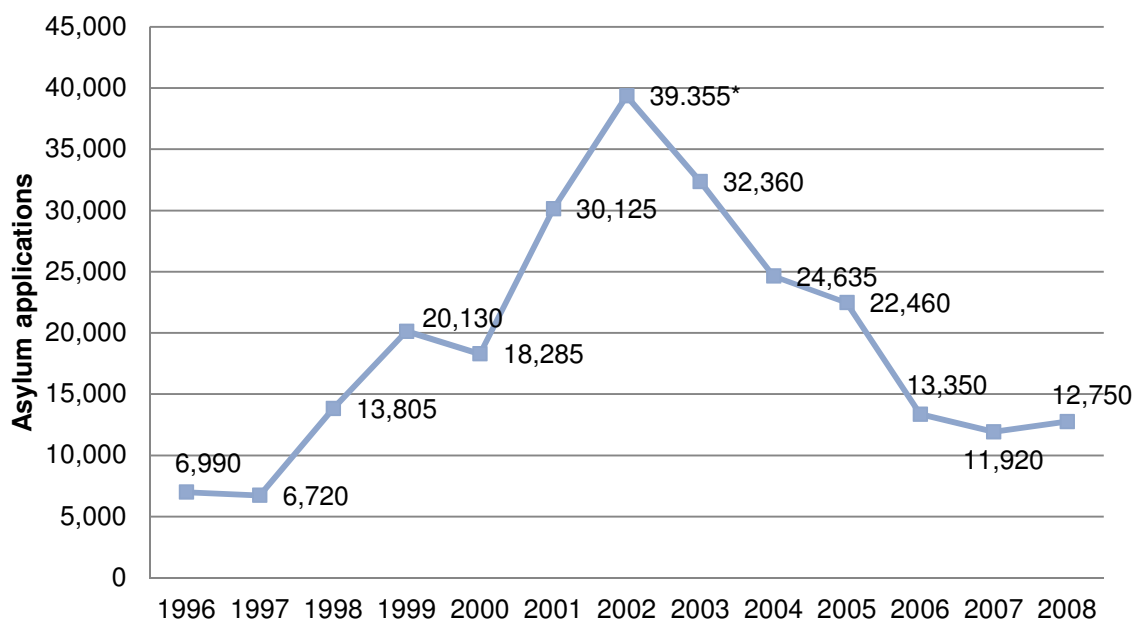
Source: UNHCR 2009.

Note: *Rounded figures to the closest ten.

4.1.1. Applications for international protection

In recent years, as in other industrialised countries³⁸ a continued decline in asylum applications³⁹ could be observed in Austria. While the year 2002 recorded the highest numbers in asylum applications in Austria (39,355) during these years, there were only 24,634 asylum applications in 2004, 13,349 in 2006 and 11,921 in 2007.

Figure 12: Total number of asylum applications, 1996-2008



Source: Eurostat Database, as of 9 December 2010. Rounded figures.

Note: *The figure for 2002 includes 16,145 asylum applications that were made in the end of 2001 at the Austrian embassy in Islamabad.

In 2008, in line with global trends which showed a +12 per cent increase year-on-year since 2007 and an increase of +6 per cent on 2007 figures for the 27 EU Member States,⁴⁰ an

³⁸ UNHCR, Asylum Levels and Trends in Industrialized Countries 2005, Geneva 2006, available at <http://www.unhcr.org/44153f592.html> (accessed on 27 September 2010)

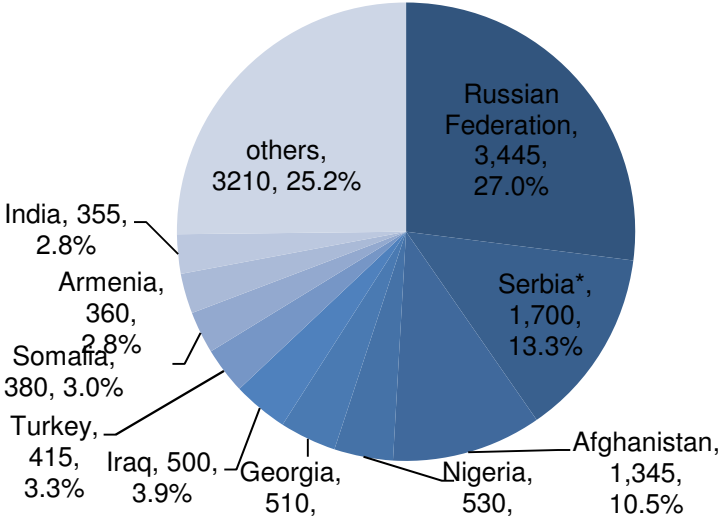
³⁹ As mentioned above, please note that the number of asylum applications in Austria refers to the total number of asylum applications, including first-time and repeated applications.

⁴⁰ UNHCR, Asylum Trends in Industrialised Countries 2008, Geneva 2009, available at <http://www.unhcr.org/49c796572.html> (accessed on 11 October 2010)

increase in asylum applications in Austria was registered (compared to 2007: +830; +6.9%). However, the total number of 12,750 applications was still below the level of all annual applications for international protection since 1998 (13,805).

A number of 12,715 (99.7% of all asylum applications) asylum applications in 2008 were made by citizens of countries outside the EU-27, coming overall from more than 75 countries of origin. Some other 125 (1.0%) were made by stateless persons. Figure 13 shows the main citizenship groupings of asylum applicants in 2008. As in 2007, the main country of citizenship of asylum applicants was the Russian Federation with 27.0 per cent (3,445) of all applications. With 1,700 asylum applicants (13.3% of all applicants), Serbia⁴¹ was ranked second, followed by applications from Afghanistan (1,345; 10.5%), Nigeria (530; 4.2%), Georgia (510; 4.0%), Iraq (500; 3.9%), Turkey (415; 3.3%), Somalia (380; 3.0%), Armenia (360; 2.8%) and India (355; 2.8%).

Figure 13: Asylum applications by main countries of citizenship, 2008



Source: Eurostat Database, as of 15 September 2010. Rounded figures.
 Note: Data on Serbia does also include Data on Kosovo (under United Nations Security Council Regulation 1244)⁴².

These countries of origin also represented main countries of origin of asylum applicants in other industrialised countries in 2008: according to the UNHCR,⁴³ asylum applicants originating from the Russian Federation increased in numbers in 44 industrialised countries, mainly because figures increased in Austria (+28%) and France (+11%). Serbia ranked 6th place among the main countries of origin; the prime destinations for this group remained France, followed by Sweden, Austria and Hungary. In 2008, the number of Afghan asylum applicants was the highest since 2002, making it the fourth important source country of asylum applicants in the industrialised world; the main likely reason for this was the deteriorating security situation. Iraq was overall the leading country of origin in 2008 in industrialised countries.

⁴¹ Figures on applicants from Serbia in the reference year 2008 include applicants from Kosovo (under United Nations Security Council Regulation 1244).
⁴² Hereafter referred to as “Kosovo”.
⁴³ UNHCR 2009.

Overall, two-thirds (66.6%) of asylum applicants in Austria were male. In case of asylum applicants from India, males accounted for 97.2 per cent. On the other hand, in the case of applicants from the Russian Federation and Armenia, the share in women was especially high: around half of the applicants were female (49.6% and 51.4%).

The largest age group among asylum applicants was composed of persons aged 18-34 years (45.0 % of all applicants). In case of applicants from India and Nigeria, their group accounted for 76.1 per cent and 73.6 per cent, respectively. The second largest age group was constituted by minors (38.1%). Minors were especially represented among the applicants from the Russian Federation and Somalia, accounting in both cases for than half (56.6%) of the applications of these countries.

4.1.2. Applications for international protection under consideration

“Pending applications” and “applications for international protection under consideration” refer to the stock of applicants for which decisions are still pending at all instances of the administrative and/or judicial procedure at the end of the reference period (see Art 4.1(b) of Regulation 862/2007 (EC)).

At the end of December 2008, 30,355 asylum applications were pending in Austria. This mainly concerned the main countries of asylum applicants: applicants from the Russian Federation who represented 16.8 per cent (5,105) of all applications under consideration, Serbia (4,620; 15.2%), Turkey (2,335; 7.7%) Afghanistan (1,980; 6.5%) and Nigeria (1,905; 6.3%).

Table 7: Asylum applications under consideration by main countries of citizenship, 2008

Country of citizenship	Abs.	Rel.
Russian Federation	5,105	16.8%
Serbia*	4,620	15.2%
Turkey	2,335	7.7%
Afghanistan	1,980	6.5%
Nigeria	1,905	6.3%
Armenia	1,470	4.8%
Georgia	1,325	4.4%
India	1,045	3.4%
China (incl. Hong Kong)	935	3.1%
Mongolia	865	2.8%
others	8,770	28.9%
Total	30,355	100%

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

Note: Data on Serbia does also include Data on Kosovo.

Also in case of asylum applications pending, two-thirds (67.0%) of concerned applicants (20,325) were male and in almost half of all cases (14,720; 48.5%) aged between 18-34.

Table 8: Asylum applications under consideration by age and sex, 2008

Category		Abs.	Rel.
Age (Years)	0-17	8,095	26.7%
	18-34	14,720	48.5%
	35-64	7,425	24.5%
	65+	120	0.4%
Sex	Female	10,035	33.1%
	Male	20,325	67.0%
Total		30,355	100%

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

4.1.3. Withdrawn applications

“Withdrawn applications” mean applications for asylum having been withdrawn during the reference period at all instances of the administrative and/or judicial procedure (see Art 4.1(c) of Regulation (EC) 862/2007).

In 2008, some 4,165 asylum applications were withdrawn in Austria. The main citizenship groupings of withdrawn applications are listed in table 11. With 560 withdrawals (13.4%), most withdrawals were mainly made by applicants from Serbia followed by withdrawals from the Russian Federation (380; 9.1%), Nigeria (360; 8.6%), Turkey (280; 6.7%) and Afghanistan (230; 5.5%), i.e. main countries of origin of asylum applicants.

Table 9: Withdrawn applications by main countries of citizenship, 2008

Countries of citizenship	Abs.	Rel.
Serbia	560	13.4%
Russian Federation	380	9.1%
Nigeria	360	8.6%
Turkey	280	6.7%
Afghanistan	230	5.5%
Moldova, Republic of	205	4.9%
India	205	4.9%
Kosovo	165	4.0%
Georgia	160	3.8%
Somalia	135	3.2%
others	1,485	35.7%
Total	4,165	100%

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

The sex and age ratio of asylum applicants is also reflected in the sex and age ratio of withdrawals: most withdrawals (79.4%; 3,305) were made by male applicants; further, in 61.1 per cent (2,545) of the cases, withdrawals were made by persons aged 18-35.

Table 10: Withdrawn applications by age and sex, 2008

Category		Abs.	Rel.
Age (Years)	0-17	725	17.4%
	18-34	2,545	61.1%
	35-64	875	21.0%
	65+	15	0.4%
Sex	Female	860	20.6%
	Male	3,305	79.4%
Total		4,165	100%

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

4.2 Decisions on International Protection

In this chapter, statistics on first instance and final decisions on international protection are presented.

“Geneva Convention” as well as “Refugee status” means refugee status as defined in Article 2(d) of Council Directive 2004/83/EC, the recognition by a Member State of a third country national or a stateless person as a refugee.

“Subsidiary protection status” means subsidiary protection status as defined in Article 2(f) of Council Directive 2004/83/EC the recognition by a Member State of a third country national or a stateless person as a person eligible for subsidiary protection.

“Temporary protection” means temporary protection as defined in Article 2(a) of Council Directive 2001/55/EC a procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection.

The number of total positive decisions is calculated as the sum of decisions granting protection under the Geneva Convention, subsidiary protection, temporary protection and humanitarian status. Please note that decisions on humanitarian protection are not reported by Austria under Article 4 of Regulation (EC) 862/2007. Instead, residence permits that are granting humanitarian status are reported under Article 6 of the Regulation.

4.2.1. First Instance Decisions

In the reporting year, a number of 12.690 first instance decisions on applications for asylum were completed in Austria. Some 72.8 per cent (9,240) of these were rejected, in 17.4 per cent (2,205) international protection according to the Geneva Convention was granted and in 9.8 per cent of the cases (1,245) a subsidiary protection status was acquired. No decisions on temporary protection were taken.

Table 11: First instance decisions by type of decision / status, 2008

Type of decision / status	Total
Total positive	3,450
Rejected	9,240
Geneva Convention	2,205
Subsidiary protection	1,245
Temporary protection	0
Humanitarian status*	:
Total	12,690

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

Note: *Data on humanitarian status is provided by Austria under Art. 6 of EC Reg. 862/2007.

Almost a third (3,935; 31.0%) of all first instance decisions concerned citizens of the Russian Federation. Serbian nationals constituted the second largest single nationality of first-instance decisions with 8.4 per cent (1,060) of all decisions taken, followed by nationals of Afghanistan (950; 7.5%). While 86.8 per cent (920) of first instance decisions on asylum applications from Serbian nationals and 70.3 per cent (2,765) of first decisions Russian nationals were negative, some 68.9 per cent (655) of first instance decisions on asylum applications from Afghan nationals were positive. In case of Iraq, 80.6 per cent (395) of all first instance decisions were positive.

Table 4: First instance decisions by main country of citizenship, 2008

	Total	Total positive	Rejected	Geneva Convention	Subsidiary protection	Temporary protection	Human. status**
Russian Federation	3,935	1,170	2,765	885	285	0	:
Serbia	1,060	140	920	95	45	0	:
Afghanistan	950	655	295	280	375	0	:
Nigeria	570	15	555	5	10	0	:
Kosovo*	565	60	505	:	60	0	:
Turkey	515	105	410	95	10	0	:
Iraq	490	395	95	225	170	0	:
Armenia	480	95	385	35	60	0	:
Georgia	420	45	375	25	20	0	:
India	395	0	395	0	0	0	:
others	3,310	770	2,540	560	210	0	:
Total	12,690	3,450	9,240	2,205	1,245	0	:

Source: Eurostat Database, as of 15 September 2010. Rounded figures

Notes: * On Kosovo, only information on rejections and subsidiary protection is included. ** Data on humanitarian status is provided by Austria under Art. 6 of Regulation (EC) 862/2007.

4.2.2. Decisions Withdrawing Status Granted at First Instance

In 2008, a number of 130 decisions withdrawing status granted at first instance were made. Almost two-thirds (85; 65.4%) of all these decisions refer to withdrawals of subsidiary protection. The other withdrawals (45; 34.6%) refer to Geneva Convention Status.

Table 5: Decisions withdrawing Status granted at First Instance by type of decision, 2008

Withdrawal of decisions	Total
Geneva Convention	45
Subsidiary protection	85
Temporary protection	0
Humanitarian status	0
Total	130

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

Table 14 shows that more than a third of all withdrawals (45; 34.6%) concerned nationals from Serbia. A number of 30 (23.1%) referred to Russian citizens.

Table 6: Decisions withdrawing status granted at first instance by main countries of citizenship, 2008

Country of citizenship	Total	Geneva Convention	Subsidiary protection	Temporary protection	Human. status
Serbia	45	20	25	0	0
Russian Federation	30	10	20	0	0
Armenia	10	0	10	0	0
Georgia	10	0	10	0	0
Romania	5	5	0	0	0
Macedonia, the former Yug. Rep. of	5	0	5	0	0
Ukraine	5	0	5	0	0
Turkey	5	0	5	0	0
Afghanistan	5	0	5	0	0
Iran (Islamic Republic of)	5	5	5	0	0
others	5	5	0	0	0
Total	130	45	85	0	0

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

4.2.3. Final Instance Decisions

A total of 9,310 final instance decisions were taken in Austria in 2008. In more than three-quarters (7,080; 76.0%) of the decisions, a negative decision was taken. Geneva Convention protection status was granted in 18.7 per cent (1,740) of all decisions, subsidiary protection status in 5.3 per cent (490). More than 99.3 per cent (9,250) of all decisions concerned citizens of countries outside the EU 27. Decisions on temporary protection were not taken. Decisions on humanitarian protection are not reported by Austria under Article 4 of Regulation (EC) 862/2007. Instead, residence permits that are granting humanitarian status are reported under Article 6.

Table 7: Final Decisions by type of decision / status, 2008

Type of decision/status	Total
Total positive	2,230
Rejected	7,080
Geneva Convention	1,740
Subsidiary protection	490
Temporary protection	0
Humanitarian status*	:
Total	9,310

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

Notes: *Statistics on humanitarian status is provided by Austria under Art. 6 of Regulation (EC) 862/2007.

Table 18 lists the ten main countries of citizenship of persons concerned by final instance decisions. The three main countries of citizenship of final decisions on asylum applications were constituted by citizens of the Russian Federation (2,565; 27.6%), Serbia (1,115; 12.0%) and Nigeria (810; 8.7%). In case of final instance decisions concerning India, 98.7 per cent (385), in case of Nigeria 98.1 per cent (795) and in case of Serbia 90.1 per cent (1,005) of all final instance decisions were negative. In case of final instance decisions on asylum applications of Afghanistan, 63.0 per cent (255) were positive, mostly granting Geneva Convention protection status (220).

Table 8: Final Decisions by type of decision / status and main countries of citizenship, 2008

	Total	Total positive	Rejected	Geneva Convention	Subsidiary protection	Temporary protection	Human. status**
Russian Federation	2,565	955	1,610	760	195	0	:
Serbia	1,115	110	1,005	45	65	0	:
Nigeria	810	15	795	5	10	0	:
Turkey	615	160	455	155	5	0	:
Armenia	490	125	365	80	45	0	:
Afghanistan	405	255	150	220	35	0	:
Georgia	405	75	330	45	30	0	:
India	390	5	385	0	5	0	:
Ukraine	225	30	195	20	10	0	:
Kosovo	210	25	160	10	15	0	:
others	2,080	475	1,630	400	75	0	:
Total	9,310	2,230	7,080	1,740	490	0	:

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

4.2.4. Decisions Withdrawing Status Granted as Final Decision

In 2008, in total a number of five decisions withdrawing status granted as final decisions were taken. They concerned only cases of subsidiary protection.

4.3. Resettlement

According to Article 2.1(s) Regulation (EC) 862/2007, “resettlement” means the transfer of third country nationals or stateless persons on the basis of an assessment of their need for international protection and a durable solution, to a Member State, where they are permitted to reside with a secure legal status.

Austria did not carry out resettlement programs during the reference period.

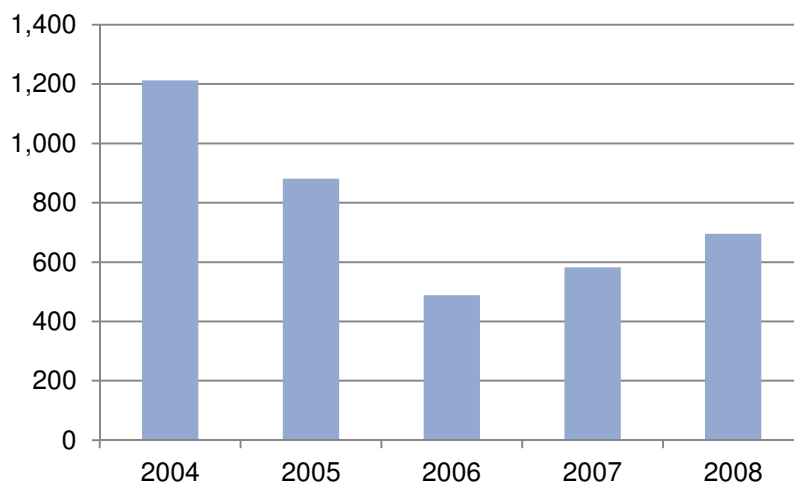
4.4 Unaccompanied Minors

“Unaccompanied minor” means as defined in Article 2.(i) of Council Directive 2004/83/EC⁴⁴ a third country national or stateless person below the age of 18, who arrives on the territory of

⁴⁴ Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, available <http://eur->

the EU Member States unaccompanied by an adult responsible for him/her whether by law or custom, and for as long as he/she are not effectively taken into the care of such a person; it includes a minor who is left unaccompanied after he/she has entered the territory of the EU Member States.

Figure 7: Asylum applications by unaccompanied minors, 2004-2008



Source. FMI for 2004-2007. For 2008 Eurostat Database, as of 15 September 2010. Rounded figure.

A number of 695 asylum applications were launched by unaccompanied minors in Austria in 2008. All of them were third country nationals in the EU context. This figure lies beyond the number of 1,212 asylum applications logged as such in 2004 and 881 such applications in 2005; however, after a decline to 488 asylum applications in 2006, since 2007 (582 applications), the trend of rising numbers of asylum applications of unaccompanied minors continued.

In 2008, most asylum-seeking unaccompanied minors were male (595; 85.6%). Applications were dominated by the group of minors aged 16-17 years (475; 63.8%) followed by those aged 14-15 years (160; 23.0%).

Table 9: Unaccompanied minors by age and sex, 2008

Category	Total	
Age (Years)	0-13	60
	14-15	160
	16-17	475
Sex	Female	100
	Male	595
Total	695	

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

With regard to countries of origin, since 2005, Afghanistan was the most important country (2008: 215; 30%) for unaccompanied minors. Other important countries of origin of asylum-seeking unaccompanied minors in 2008 were the Republic of Moldova (65; 9.3%), Nigeria (60; 8.4%), the Russian Federation (55; 7.9%) and Somalia (55; 7.9%).⁴⁵

lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:EN:HTML, (accessed on 10 September 2010)

⁴⁵ For further information on unaccompanied minors in Austria see IOM Vienna (2009): Policies of reception, return, integration arrangements for and numbers of unaccompanied minors in Austria,

4.5 Dublin Transfers

In accordance with the so called “Dublin II Regulation” (Regulation (EC) No 343/2003⁴⁶), Member States have to assess which Member State is responsible for examining an asylum application lodged on their territory on the basis of the hierarchical criteria set down in the regulation. The underlying concept is to impede the possibility of lodging multiple applications in different Member States and to reduce secondary movements of asylum applicants within the European Union. When responsibility is designated to another Member State under the criteria of the regulation, this Member State is requested to take charge of the asylum applicant and consequently to examine his/her application (‘take-back request’ or ‘take-charge request’). If the Member State approached accepts its responsibility, the first Member State has to transfer the asylum applicant to that Member State. This Member State is then then to complete the examination of the application. The Dublin II Regulation is applicable in all EU Member States, Norway, Iceland and Switzerland⁴⁷.

4.6.1. Incoming take charge and take back requests and respective transfers

As shown in table 10, in total a number of 1,755 requests to take back or take charge of asylum applicants were addressed by other Member States to Austria in 2008. Almost a third of all requests (551; 31.4%) were made by Germany, 323 (18.4%) by France, 136 (7.7%) by Italy, 127 (7.2%) by the Netherlands and 124 (7.1%) by Sweden. In 984 cases (56.1%) the request was accepted and a number of 628 transfers were carried out.

The highest number of transfers to Austria in absolute numbers were carried out by Germany (255), followed by the Netherlands (77), France (52), Belgium (41) and Sweden (40).

Table 10: Incoming requests - Dublin transfers by reason for request and decision taken

Reason for request	Total	Accepted	Refused	Transferred
Total number of taking charge requests	177	71	102	39
Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	31	9	18	11
Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	131	60	71	26
Taking charge requests: Humanitarian reasons (Art.15)	15	2	13	2
Total number of taking back requests	1,578	913	691	589
Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	40	14	23	12
Taking back requests: Under examination - no permission to stay (Art.16.1c)	1,183	703	501	456
Taking back requests: Withdrawal - new application (Art.16.1.d)	3	0	4	0
Taking back requests: Rejection - no permission to stay (art.16.1.e)	352	196	163	121
Total EURODAC	1,336	772	589	
Taking charge requests based on EURODAC	43	19	24	
Taking back requests based on EURODAC	1,293	753	565	
Total number of pending requests at the end of reference period	37			
Total number of requests for information**	:			
Number of answers to requests for information***	:			
Total	1,755*	984	793	628

Source: Eurostat Database, as of 15 September 2010. Notes: * This number does not include information on the number of requests for information. ** In 2008, there was no technical support to

National EMN Report, available at: www.emn.at/images/stories/UAM_AT.pdf (accessed on 1 September 2010)

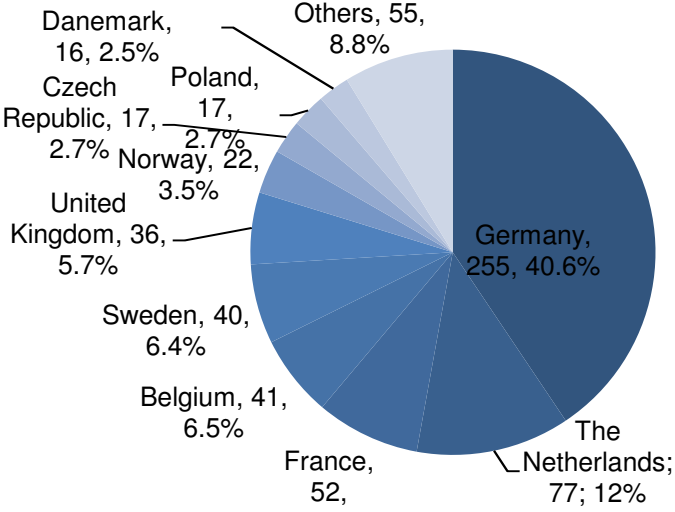
⁴⁶ Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, available <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003R0343:EN:HTML>, (accessed on 13 September 2010)

⁴⁷ Since 12 December 2008, Switzerland is also applying the Dublin Regulation.

count the number of requests for information submitted by the Member States. *** In 2008, there was no technical support to count the number of answers to requests for information provided by Austria to the request.

In the majority 456 (72.6%) of the transfers carried out Austria was requested to take back asylum applicants whose application was under examination in Austria and were found in the territory of another Member State without permission to stay (Art. 16 (1) (c) of the Dublin regulation). In a further 19.3 per cent of the cases referred to Art. 16(1)(e), i.e. to persons illegally present in the respective Member State after their asylum application had been rejected by Austria. Other reasons for requests were documentation and entry reasons (26), withdrawal of application during Dublin procedure (12), family reasons (11) and in two cases humanitarian reasons.

Figure 8: Dublin transfers to Austria by country, 2008



Source: Eurostat Database, as of 15 September 2010.

4.6.2. Outgoing take charge and take back requests and respective transfers

In the reporting year 2008, Austria posed a total of 4,277 taking charge and taking back requests to other Member States. Almost half (2,091; 48.9%) of all taking charge and taking back requests were addressed to Poland, 419 (9.8%) to Greece, 394 (9.2%) to Italy, 356 (8.3%) to Hungary and 217 (5.1%) to Slovakia.

A number of 3,811 (89,1%) of them were accepted and 1,282 transfers were carried out. In more than three quarters 972 (75,8%) of Dublin transfers carried out from Austria, Austria requested to take back asylum applicants whose application was under examination in other Member States and were found in the territory of Austria without permission to stay (Art. 16 (1) (c) of the Dublin regulation). A further 16.1 per cent (206) of the cases referred to documentation and entry reasons. Other main reasons for requests were rejections of asylum applications in other Member States and no permission to stay (89).

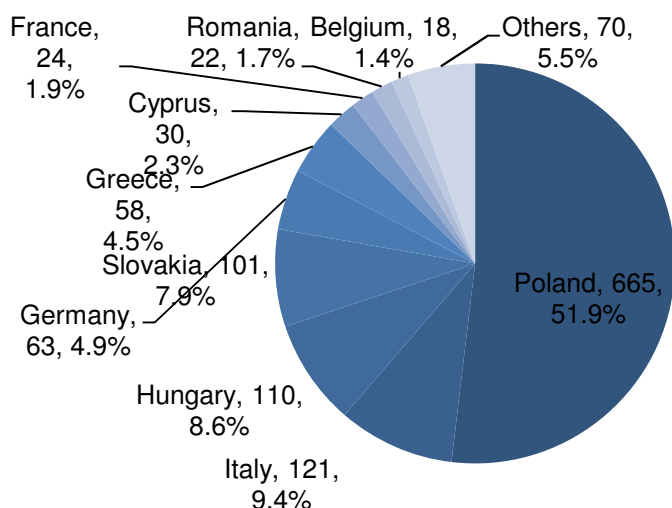
Table 11: Outgoing requests - Dublin transfers by reason for request and decision taken

Reason for request	Total	Accepted	Refused	Transferred
Total number of taking charge requests	1,204	831	372	214
- Taking charge requests: Family reasons (Art.6, Art.7, Art.8, Art.14)	42	35	22	7
- Taking charge requests: Documentation and entry reasons (Art.9, Art.10, Art.11, Art.12)	1,162	796	350	206
- Taking charge requests: Humanitarian reasons (Art.15)	0	0	0	1
Total number of taking back requests	3,073	2,980	209	1,068
- Taking back requests: Withdrawal of application during Dublin procedure (Art. 4.5)	0	0	0	4
- Taking back requests: Under examination - no permission to stay (Art.16.1c)	2,838	2,770	158	972
- Taking back requests: Withdrawal - new application (Art.16.1.d)	8	8	0	3
- Taking back requests: Rejection - no permission to stay (art.16.1.e)	227	202	51	89
Total EURODAC	2,303	2,150	223	
- Taking charge requests based on EURODAC	354	287	71	
- Taking back requests based on EURODAC	1,949	1,863	152	
Total number of pending requests at the end of reference period	171			
Total number of requests for information	1,594			
Number of answers to requests for information	.*			
Total	4,277	3,811	591	1,282

Source: Eurostat Database, as of 15 September 2010. Note: * In 2008, there was no technical support to count the number of answers to requests for information provided by the Member States to the requests for information submitted by Austria.

The main destination of all transfers with more than a half of all transfers in total (665; 51.9%) were carried out to Poland, followed by Italy (121; 9.4%), Hungary (110; 8.6%), the Slovak Republic (101; 7.9%) and Germany (63; 4.9%).

Figure 16: Dublin transfers from Austria by country, 2008



Source: Eurostat Database, as of 15 September 2010.

4.6.3. Requests for information

The Dublin Regulation also provides mechanisms for administrative cooperation: If necessary for specific purposes, such as for determining the Member State responsible or for examining an asylum application, EU Member States can pose requests for information concerning asylum applicants. In this context, in 2008, a number of 1,592 requests for information were posed by Austria to other Member States. Almost a third (514; 32.3%) of

these requests were posed to Hungary, 212 (13.3%) to Poland, 189 (11.9%) to Italy, 153 (9.6%) to Germany and 80 (5.0%) to Romania.

With regard to incoming requests for information, there was no technical support to count the number of requests for information submitted by the Member States and the number of answers provided by Austria.

For the reference year 2008, neither technical support existed to count the number of answers to requests for information provided by the Member States to the requests for information submitted by Austria.

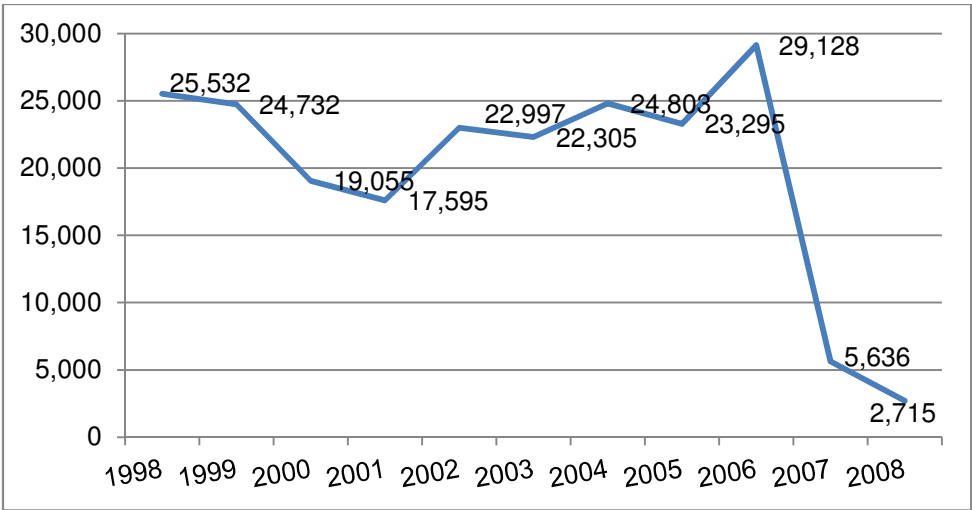
5. PREVENTION OF ILLEGAL ENTRY AND STAY

Based on Article 5 of the Regulation (EC) No 862/2007 data on enforcement of immigration legislation data are provided to Eurostat starting for the reference year 2008 on third-country nationals refused entry to the EU Member State's territory at the external border and third-country nationals found to be illegally present in the EU Member State's territory under national laws relating to immigration. The current chapter will give an overview⁴⁸ of the trends on irregular migration as illustrated in these statistics for 2008.

5.1 Refusals

While the numbers of refused persons have oscillated between the years 1998 to 2006 between 29,128 and 17,595, in 2007, in total 5,636 refusals at the Austrian borders were recorded, representing a sharp decrease of 80.7 per cent compared to 2006. The reason for such a sharp decrease of refusals can largely be ascribed to the EU-2 (Romania and Bulgaria) accession as EU Member States and their ensuing right to freedom of movement. Those two source countries had held the highest amount of citizens (21,384) refused at the borders in 2006 (Bulgaria: 3,610, Romania: 17,774) and represented also the majority of the refused aliens of the overall volume of refusals in 2006. The numbers of refusals have further declined in 2008, where a number of 2,715 persons (-2,921; -51.8% compared to 2007) were refused entry at the Austrian border.⁴⁹

Figure 9: Annual totals of refused persons, 1998-2008



Source: Data assembled for CIREFI for period 1998-2007⁵⁰.
For 2008, Eurostat Database, as of 15 September 2010, rounded figure.

Of the 2,715 persons refused entry at the Austrian border in 2008, the great majority (89.3%; 2,425) of them were refused at the land border and another 290 (10.7%) at the air border. In more than two-thirds (1,865; 68.7%) of all cases, persons were refused for reasons of lack of valid travel document(s) following by the reason of missing of a valid visa or a residence permit (640; 23.6%).

⁴⁸ The data presented in this chapter for the reference year 2008 is rounded.

⁴⁹ IOM Vienna, 2008.

⁵⁰ EMN Standardised Tables of Statistics available at <http://emn.intrasoft-intl.com/Downloads/download.do;jsessionid=41A44F72461251FFD521873B1DE119A3?fileID=788> (accessed on 30 October 2010)

Table 12: Third country nationals refused entry, by ground and external border, 2008

Ground for refusal	Total	Land border	Air border
No valid travel document(s)	1,865	1,855	10
False travel document	45	0	45
No valid visa or residence permit	640	475	165
False visa or residence permit	25	0	25
Purpose and conditions of stay not justified	5	0	5
Person already stayed 3 months in a 6-months period	0	0	0
No sufficient means of subsistence	15	0	15
An alert has been issued	110	90	20
Person considered to be a public threat	0	0	0
Total	2,715	2,425	290

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

The main nationalities of refused persons in 2008 were the same main nationalities as in 2007. As shown in table 23, the main country of citizenship of persons refused at the border was Switzerland, representing almost one third (32.6%) of all refusals (885), followed by Serbia (450; 16.6%) and Liechtenstein (285; 10.5%). These nationalities were mostly refused at the land border.

Table 13: Refusals by main countries of citizenship and border, 2008

Country of citizenship	Persons refused entry	Refused at the land border	Refused at the air border
Switzerland	885	880	5
Serbia	450	425	25
Liechtenstein	285	285	0
Macedonia , the form. Yug.Rep. of	175	175	0
Turkey	150	145	10
Bosnia and Herzegovina	125	125	0
Georgia	50	0	50
Albania	45	25	20
Moldova, Republic of	45	10	35
China (including Hong Kong)	45	20	25
others	460	335	120
Total	2,715	2,425	290

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

The majority of all persons refused at the air border were citizens from Georgia (50), the Republic of Moldova (35), Serbia (25), China (25) followed by citizens from Albania and India with both 20 refused persons.

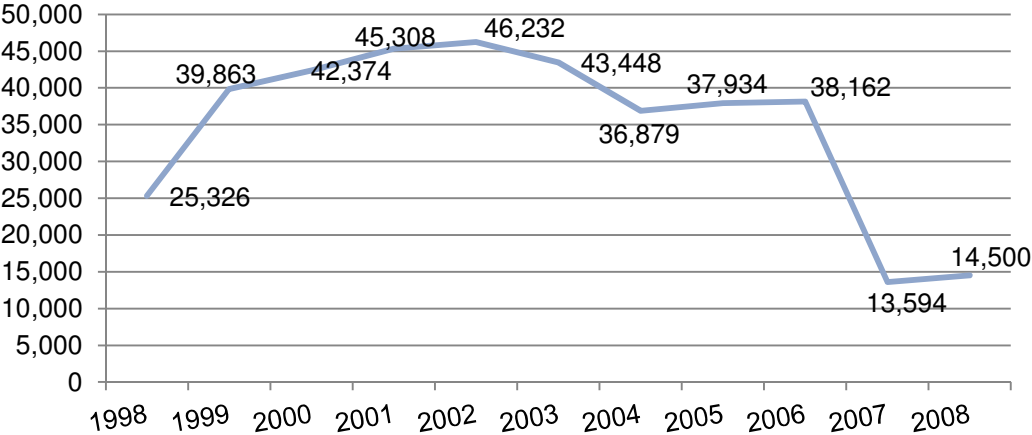
5.2 Apprehensions

This category relates to persons who have been found to have entered illegally (for example by avoiding immigration controls or by employing a fraudulent document) and those who may have entered legitimately but have subsequently remained on an illegal basis (for example by overstaying their permission to remain or by taking unauthorised employment). Only persons who are apprehended are recorded in these statistics. As such, these are not

intended to be a measure of the total number of persons who are present in the country on an unauthorised basis but rather serve as indicator.⁵¹

A total number of 14,500 persons were apprehended in Austria in 2008. This represents an increase of +6.7 per cent (+906) compared to 2007 where a 13,594 persons who were present on Austrian territory without legal permission, were apprehended. Before that, from 2006 to 2007, annual numbers decreased sharply (-64.4%) on a year-to-year basis. As with the sharp decline of the number of refusals at Austrian borders in 2007, the decline in apprehensions is mainly seen in the context of the exclusion of citizens of Romania (21,430 apprehension in 2006) and Bulgaria (1,392 apprehensions in 2006) in the statistics, as a result of EU accession on 1.01.2007.

Figure 10: Annual totals of apprehended persons illegally present, 2008



Source: CIREFI for data 1997-2007.⁵²
 For 2008, Eurostat Database, as of 15 September 2010, rounded figure.

The other citizenship categories of apprehended persons remained similar to those of 2006 and 2007: most apprehensions were made of citizens from the Russian Federation (2,380; 16.4%), Serbia (2,290; 15.8%) and Afghanistan (1,045; 7.2%).

⁵¹ Eurostat Metadata on Enforcement of Immigration Legislation – Annex Third country nationals refused entry at the external borders, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an1.pdf (accessed on 3 September 2010)

⁵² EMN Tables of Statistics available at <http://emn.intrasoft-intl.com/Downloads/download.do;jsessionid=41A44F72461251FFD521873B1DE119A3?fileID=788> (accessed on 30 October 2010)

Table 14: Apprehensions by main countries of citizenship, 2008

Top 10 countries of citizenship	Total	%
Russian Federation	2,380	16.4%
Serbia	2,290	15.8%
Afghanistan	1,045	7.2%
Iraq	665	4.6%
Nigeria	630	4.3%
India	630	4.3%
Turkey	595	4.1%
Georgia	490	3.4%
China (including Hong Kong)	460	3.2%
Moldova, Republic of	445	3.1%
others	4,870	33.6%
Total	14,500	100%

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

In more than three quarters of all cases (11,095; 76.5%) the apprehended persons were male. Looking at age groups, more than half of the persons were aged between 18-34 years (8,330; 57.4%); a further quarter (3,525; 24.3%) was older than 35 years. Minors represented 18.2 per cent (2,645) of all apprehensions.

Table 15: Apprehensions by sex and age, 2008

	0-13	14-17	18-34	35+	Females	Males	Total
Total	1,450	1,195	8,330	3,525	3,405	11,095	14,500

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

Different patterns prevail when looking at the sex and age of the apprehended persons from main countries of citizenship: the highest share of females can be found for apprehended Russian citizens of whom almost half (1,140; 47.9%) were female. In contrast to this, 95.2 per cent (600) of all apprehended Indian nationals were male. High shares of minors were found in the group of apprehended Afghan and Russian nationals: 40.2 per cent (420) of all Afghans and 39.9 per cent (950) of all Russians found to be illegally present were minors.

Table 16: Apprehensions by main country of citizenship, age and sex, 2008

Country of citizenship	Age (Years)					Sex	
	Total	0-13	14-17	18-34	35+	Females	Males
Russian Federation	2,380	820	130	925	500	1,140	1,240
Serbia	2,290	215	105	1,375	590	440	1,845
Afghanistan	1,045	110	310	430	195	175	870
Iraq	665	35	70	450	110	70	595
Nigeria	630	5	60	500	65	155	475
India	630	0	15	465	150	30	600
Turkey	595	20	10	420	150	95	500
Georgia	490	30	25	295	140	100	385
China (including Hong Kong)	460	0	10	200	250	135	325
Moldova, Republic of	445	10	85	255	95	135	310
others	4,870	205	375	3,015	1,280	930	3,950
Total	14,500	1,450	1,195	8,330	3,525	3,405	11,095

Source: Eurostat Database, as of 15 September 2010. Rounded figures.

6. RESIDENCE PERMITS AND RESIDENCE OF THIRD COUNTRY NATIONALS

The 2005 report provided detailed information on the immigration law in Austria that was restructured and newly adopted in 2005 in the framework of the Aliens' Act Package. Since its entry into force the Settlement and Residence Act regulates the conditions of residence and settlement in Austria.⁵³ In 2008 there were no legislative developments in this field. (

“Residence permit” means any authorisation valid for at least three months issued by the authorities of a Member State allowing a third country national to stay legally on its territory. According to Article 6.2 of the Regulation (EC) 862/2007 of 11 July 2007, when national laws and administrative practices of a Member State allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, such visas and grants of statuses are also included in these statistics.⁵⁴

“Family members” means family members as defined in Article 2(i) of Regulation (EC) 343/2003.

By virtue of Regulation (EC) 862/2007 EU Member States are required to provide data on residence permits to Eurostat beginning with the reporting year 2008. Within the meaning of the Regulation, the term “residence permit” does not only cover temporary residence titles, but also long-term residence titles with unlimited validity. The main data source on the legal status of foreign nationals in Austria is the Alien Information File (FID) of the Federal Ministry of the Interior. It is designed as an information system and records all foreign nationals who are subject to permit requirements under the Settlement and Residence Act 2005.

6.1. First residence permits

A “first residence permit” means a residence permit issued to a person for the first time. For Austria in the reporting year 2008, the data on permits includes some renewed permits.⁵⁵ Furthermore, the distribution by family member is not available for first permits issued for family reasons. Seasonal workers are not included in first permits issued for remunerated activities as they do not formally receive a residence permit. The distribution by length of validity is not available for first permits issued for other reasons for the reference year 2008.⁵⁷

⁵³ For further information see IOM Vienna, The Organisation of Asylum and Migration Policies in Austria, National EMN Report, Vienna 2009, available at http://www.emn.at/images/stories/Organisation_Study_AT.pdf (accessed on 15 September 2010)

⁵⁴ For further information see Eurostat Metadata on Enforcement of Immigration Legislation – Annex Third country nationals refused entry at the external borders, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an1.pdf (accessed on 3 September 2010)

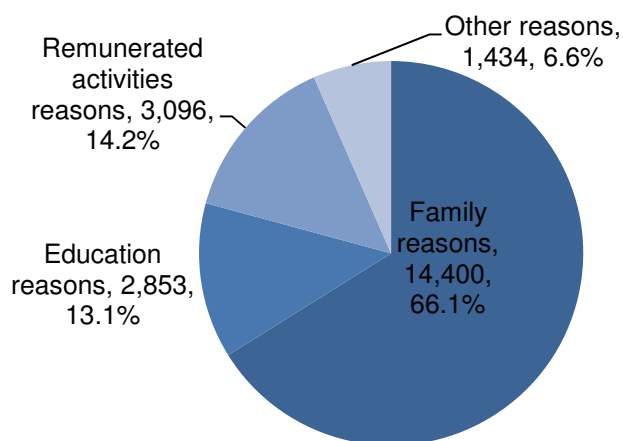
⁵⁵ Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, available <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003R0343:EN:HTML> (accessed on 13 September 2010)

⁵⁶ For further information see Eurostat Metadata on Enforcement of Immigration Legislation – Annex Third country nationals refused entry at the external borders, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an1.pdf (accessed on 3 September 2010)

⁵⁷ For further information see Eurostat Metadata on Residence Permits - Annex First Permits, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an4.pdf (accessed on 3 September 2010)

In 2008, 21,783 first residence permits were issued: in two-thirds of the cases they were issued for family reasons (14,440; 66.1%), in 14.2 per cent for reasons of remunerated activities (3,096), in 13.1 per cent (2,853) for education reasons and in 6.6 per cent (1,434) for other reasons than these.

Figure 11: First residence permits by reason of issuance, 2008



Source: Eurostat Database, as of 15 September 2010

In total, permits were issued to citizens of 128 third countries. Table 27 shows that the main country of citizenship of persons to whom first residence permits were issued were traditional countries of origin of immigration to Austria: Turkey (4,289; 19.7%) and countries of Former Yugoslavia: Serbia (3,058; 14.0%), Bosnia and Herzegovina (1,961; 9.0%), Croatia (1,135; 5.2%), Kosovo (875; 4.0%) and the Former Yugoslav Republic of Macedonia (732; 4.0%). In about 80 per cent and, in some cases even more, of issued permits for nationals of these countries, permits were issued for family reasons. For all reasons except remunerated reasons, most first issued residence permits were issued to Turkish nationals. Other main third countries of persons who were granted first residence permits were the United States (987; 4.5%), the Russian Federation (772; 3.5%), China (incl. Hong Kong) (673; 3.1%) and Ukraine (635; 2.9%). Most permits issued to US citizens (403; 40.8%) were issued for reasons of remunerated activities; among permits issued for Ukrainians, 38.1 per cent (242) and in case of permits issued to Chinese nationals, 29.0 per cent (195) were issued for remunerated reasons.

Table 17: First residence permits, by main countries of citizenship and reason

Reasons	Main nationalities of issued permits					Total
	1. Rank	2. Rank	3. Rank	4. Rank	5. Rank	
Family reasons	Turkey (3,572)	Serbia (2,600)	Bosnia & Herzegovina (1,579)	Croatia (897)	Kosovo (709)	14,400
Education reasons	Turkey (415)	Bosnia & Herzegovina (245)	United States (241)	Serbia (176)	South Korea (146)	2,853
Remunerated activities reasons	United States (403)	Russian Federation (242)	Ukraine (242)	China (195)	Serbia (161)	3,096
Other reasons	Turkey (166)	United States (140)	Serbia (121)	Russian Federation (99)	Pakistan (96)	1,434
Total	Turkey (4,289)	Serbia (3,058)	Bosnia & Herzegov. (1,961)	Croatia (1,135)	United States (987)	21,783

Source: Eurostat Database, as of 15 September 2010

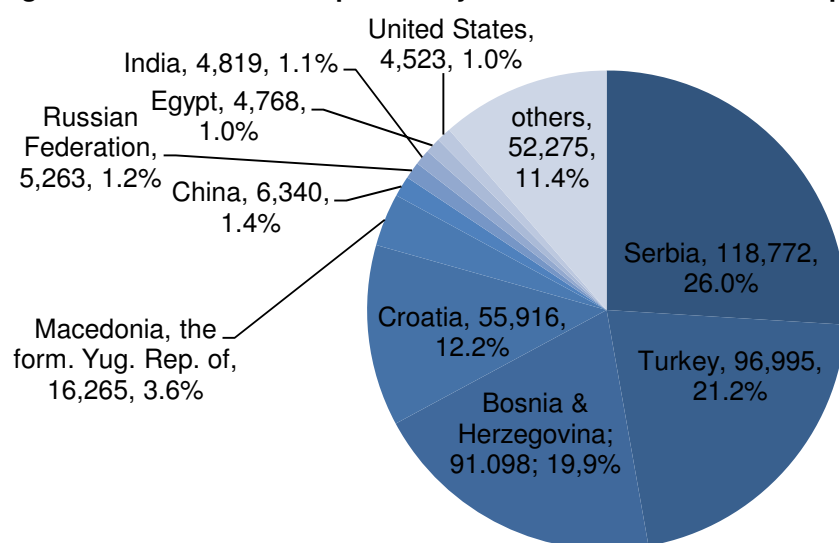
6.2. Changes to immigration status permits

Changes to immigration status permits by reason are not available for Austria for the reference year 2008.

6.3. All valid residence permits

At the end of 2008, a total of 457,034 residence permits were valid in Austria. More than a quarter of all permits were held by nationals of Serbia (118,772, 26.0%), Turkey (96,995; 21.2%) and Bosnia and Herzegovina (91,098; 19.9%).

Figure 12: Valid residence permits by main countries of citizenship, 2008



Source: Eurostat Database, as of 15 September 2010

Please note that for 2008 data on the stock of permits the distribution by reason and by length of validity are not available.⁵⁸

6.4. Long term residents

Long-term resident means long-term resident as defined in Article 2(b) of Council Directive 2003/109/EC⁵⁹. In Austria the residence permit “Long-Term Resident – EC” was introduced in 2006 in the framework of the Aliens’ Act Package 2005.⁶⁰ The residence permit “Long-Term Residence –EC” replaced the previous “Settlement Confirmation” of the Aliens’ Act 1997 without significant changes.

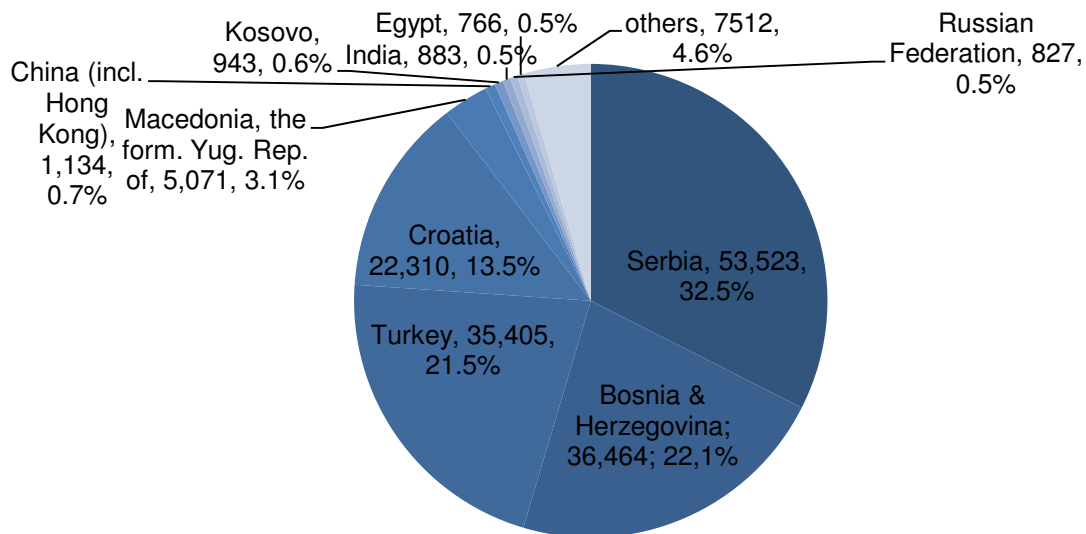
⁵⁸ For further information see Eurostat Metadata on Residence Permits - Annex Stock of Permits, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_res_esms_an3.pdf (accessed on 3 September 2010)

⁵⁹ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0109:en:NOT>, (accessed on 13 September 2010)

⁶⁰ Art. 45 Settlement and Residence Act.

In the reference year, 164.838 persons held a long term residence permit. About a third of them were held by citizens from Serbia (53.523; 32,5%), 22,1 per cent (36.464) by citizens from Bosnia and Herzegovina and 21,5 per cent (35.405) by citizens from Turkey.

Figure 13: Long-term residents by main countries of citizenship, 2008



Source: Eurostat Database, as of 15 September 2010

It should be noted however, that the issue of long term residence permits is managed in the EU Member States in different manners. While for example, the Eurostat figures for the reporting year 2008 show that 191,425 persons in Estonia held this new permit, in Germany it was only 998 persons. One reason for this is the fact that in Germany another residence permit (the so called "Niederlassungserlaubnis") exists parallel to the new residence title which confers similar rights.⁶¹

⁶¹ For further information see BAMF, Annual Report on Migration and International Protection Statistics 2008 by the German National Contact Point for the European Migration Network (EMN), Nürnberg 2010, available at: <http://emn.sarenet.es/Downloads/download.do;jsessionid=B7A8E319BC7529F2CE623677CF1EDB09?fileID=1152>

7. RETURNS

The following chapter presents statistics⁶² on returns which are provided under Article 7 of Regulation 862/2007:

“Third country nationals ordered to leave” is defined as third country nationals found to be illegally present who are subject to an administrative or judicial decision or act stating that their stay is illegal and imposing an obligation to leave the territory of the Member State (see Art. 7.1 (a) of the Regulation). These statistics do not include persons who are transferred from one Member State to another under the mechanism established by the Dublin Regulation (Regulation (EC) No 343/2003⁶³ and (EC) No 1560/2003,⁶⁴ for these cases see related Dublin Statistics).⁶⁵

“Third country nationals returned following an order to leave” is defined as third country nationals who have left the territory of the Member State, following an administrative or judicial decision or act stating that their stay is illegal and imposing an obligation to leave the territory (see Art. 7.1 (b) of the Regulation (EC) 862/2007). On a voluntary basis Member States provide Eurostat with a subcategory which relates to third country nationals returned to a third country only. Persons who left the territory within the year may have been subject to an obligation to leave in a previous year. As such, the number of persons who actually left the territory may be greater than those who were subject to an obligation to leave in the same year.

The statistics include forced returns and assisted voluntary returns. Unassisted voluntary returns are included where these are reliably recorded. Data do not include persons who were transferred from one Member State to another under the mechanism established by the Dublin Regulation, for these cases see related Dublin Statistics.

In 2008, some 8,870 persons were ordered to leave Austria. A number of 5,855 returned following an order to leave. Representing almost a quarter of all orders (2,305), Serbia was the main country of citizenship of third country nationals ordered to leave, followed by citizens from Turkey (680; 7.7%) and Nigeria (580; 6.8%).

⁶² The data presented in this chapter is rounded.

⁶³ Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003R0343:EN:NOT> (accessed on 1 October 2010)

⁶⁴ Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003R1560:EN:HTML> (accessed on 13 September 2010)

⁶⁵ Eurostat Migration Metadata on Enforcement of Immigration Legislation, available at http://epp.eurostat.ec.europa.eu/cache/ITY_SDDS/Annexes/migr_acqn_esms_an1.pdf (accessed on 13 October 2010)

Table 18: Third country nationals ordered to leave by country of citizenship, 2008

Countries of citizenship	Third country nationals ordered to leave	Third country nationals returned following an order to leave*
Serbia	2,305	1,635
Turkey	680	380
Nigeria	580	165
Russian Federation	445	485
India	430	195
Georgia	355	130
Moldova, Rep. of	325	310
Armenia	285	60
Iraq	275	305
Macedonia, the form. Yug. Rep. of	255	190
Others	2,935	2,000
Total	8,870	5,855

Source: Eurostat Database, as of 15 September 2010

Notes: * Returns effected may relate to orders signed in previous years.

Looking in comparison at the number of persons of these countries of citizenship returned in 2008 following an order to leave (Table 27): the main countries of return were Serbia with 27.9 per cent of all returns (1,635), the Russian Federation (485; 8.3%) and Turkey (380; 6.5%).

Table 19: Third country nationals returned following an order to leave*

Countries of citizenship	Third country nationals returned following an order to leave
Serbia	1,635
Russian Federation	485
Turkey	380
Moldova, Rep. of	310
Iraq	305
India	195
Macedonia, the form. Yug. Rep. of	190
Ukraine	165
Nigeria	165
Afghanistan	145
Others	4,895
Total	8,870

Source: Eurostat Database, as of 15 September 2010

Note: * Returns effected may relate to orders signed in previous years.

7.1 Relationship between refusals, apprehensions and returns

A particular strong relationship between refusals, apprehensions and returns exists for several countries throughout all domains. Nationals of Serbia are represented in main citizenship groupings concerning refusals, apprehensions, persons ordered to leave as well as persons returned following an order to leave. They are second ranked in the case of refusals (16.6% of total) and apprehensions (15.8%) and ranked first among persons ordered to leave (26%) and returned (27.9%). Also Turkish nationals and nationals of the Republic of Moldova figure among the main countries of citizenship in all four domains. Other groups such as Russian nationals, Iraqi nationals, Nigerian nationals and Indian nationals figured among the main groupings of citizenship in case of apprehensions, orders to leave and returns but not in refusals. Nationals of Switzerland and Liechtenstein on the other hand

appear among the main nationalities of refusals but not within the main groupings of the other categories.

Table 20: Refusals, apprehensions, ordered to leave and returns by main countries of citizenship, 2008

Refusals	Abs.	Apprehensions	Abs.	Ordered to leave	Abs.	Returns	Abs.
Switzerland	885	Russian Federation	2,380	Serbia	2,305	Serbia	1,635
Serbia	450	Serbia	2,290	Turkey	680	Russian Federation	485
Liechtenstein	285	Afghanistan	1,045	Nigeria	580	Turkey	380
Macedonia, f. Yug. Rep.	175	Iraq	665	Russian Federation	445	Moldova, Rep. of	310
Turkey	150	Nigeria	630	Georgia	430	Iraq	305
Bosnia and Herzegovina	125	India	630	Moldova	355	India	195
Georgia	50	Turkey	595	Armenia	325	Macedonia, f. Yug. Rep	190
Albania	45	Georgia	490	Iraq	285	Ukraine	165
Moldova, Rep. of	45	China (incl. Hong Kong)	460	Macedonia, f. Yug. Rep	275	Nigeria	165
China (incl. Hong Kong)	45	Moldova, Rep. of	445		255	Afghanistan	145
Total	2,715	Total	14,500	Total	8,870	Total	5,855

Source: Eurostat Database, as of 15 September 2010

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