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ANNUAL REPORT 2013 ON ASYLUM AND MIGRATION POLICY IN AUSTRIA

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Contribution to Commission and to EASO Annual Reports

(1 January - 15 December 2013)

The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway. The National Contact Point Austria in the EMN is financially supported by the European Commission and the Austrian Federal Ministry of the Interior.

The opinions expressed in the report are those of the author and do not necessarily reflect the views of the Austrian Federal Ministry of the Interior, the European Commission and/or the International Organization for Migration. The designations employed and the presentation of material throughout the report do not imply the expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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Explanatory note

This report has been produced within the framework of the annual reporting of the National Contact Points (NCPs) in the European Migration Network (EMN). The report outlines the most significant political and legislative developments in the field of asylum and migration in Austria in 2013, and provides related information on policy and public debates.

The report provides input to the European Commission's Annual Report on Immigration and Asylum in 2013. This report covers the most significant developments and the main actions taken at the EU and Member State levels regarding current EU policy priorities for immigration and asylum. The report also provides information for the European Asylum Support Office's (EASO) Annual Report on the Situation of Asylum in the EU.

The format of this report is based on a common template designed by the EMN to collect concise information on a set of specific topics in order to facilitate the preparation of the European Commission's Annual Report on Immigration and Asylum.

This report is based on official sources such as press releases and was produced in cooperation with the Federal Ministry of the Interior, the Federal Ministry of Labour, Social Affairs and Consumer Protection, and the Federal Ministry for Europe, Integration and Foreign Affairs.

1. LEGAL MIGRATION AND MOBILITY

Correspondence with the commitments of the Stockholm Programme

Section 1 pertains to the following sections of the Stockholm Programme:

- Section 6.1.3 - a concerted policy in keeping with national labour-market requirements;
- Section 6.1.4 - Proactive policies for migrants and their rights; and
- Section 6.1.5 – Integration.

And some sections of:

- Section 6.1.1 - Consolidating, developing and implementing the EU Global Approach to Migration;
- Section 6.1.2 – Migration and Development; and
- Section 7 - the ‘external dimension’.

1.1 Key Statistics

See Country Factsheet: Austria 2013

1.2 Economic migration

1.2.1 Satisfying labour market needs

Has your (Member) State changed the way it analyses its labour market and skills needs / shortages in relation to the employment of third-country nationals?

- a) Please describe the (planned) introduction of any new labour migration policies or changes to the existing ones, e.g. introduction / revision of quotas, lists of professions, facilitation of intra-EU mobility of third-country nationals living in another Member State, agreement with specific third countries, use of private recruitment agencies / services, etc.).
- b) Do the changes affect specific sectors / categories of worker in particular? If so, why? Why are these sectors / workers considered specifically important?
- c) What were the drivers of the changes? For example, these might be specific labour market needs and demands. Specifically highlight whether the policy is designed to facilitate economic migration’s contribution to economic growth.
- d) What are the expected or desired results of the changes? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Establishment of a combined residence and work permit:

A combined residence and work permit was created for holders of the ‘settlement permit’ and ‘residence permit – artist’. Artists will now receive a combined residence and work permit that is similar to the ‘Red-White-Red Card’, while the admission requirements (no point system according to criteria) have not been changed. The permit entitles the holder

to employment with a specific employer. If special integration criteria are fulfilled, resident third-country nationals are to receive a 'Red-White-Red Card plus', which grants unrestricted labour market access. Furthermore, work permits and exemption certificates are not applicable anymore. Persons who are in possession of such a permit are eligible to receive a 'Red-White-Red Card plus' with unlimited access to the labour market.¹ The corresponding laws were revised accordingly through Amendments to the Act Governing the Employment of Foreign Nationals and the Act on the Employment of People with Disabilities² and the Amendments to the Act on the Restructuring of the Aliens Authorities.³

1.2.2 Skills Recognition and labour matching

Has your (Member) State changed (or made plans to change) policy / practice on skills recognition / labour matching?

- a) Describe any (planned) measures to improve the validation of diplomas, qualifications and skills of third-country nationals.
- b) Describe any (planned) measures to improve labour matching between your (Member) State and third countries (including online employment, etc.).
- c) Do any of these measures:
 - a. Apply specifically to already resident third-country nationals (in the context of better integration)?
 - b. Involve exchanges of practical information / co-operation with other Member States?
 - c. Aim at avoiding brain waste?
- d) What were the drivers of the changes?
- e) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

Contact points for skills recognition:

In order to make better use of previously obtained qualifications and skills of immigrants, an interdepartmental task force developed a concept for "Contact points and further measures for the recognition and assessment of qualifications obtained abroad" in the first half of 2012. As part of the implementation of this concept, the Federal Ministry of Labour, Social Affairs and Consumer Protection (FMLSC) set up four accessible regional contact points in January 2013. These provide guidance and counselling concerning the validation and occupational use of qualifications acquired abroad, thereby facilitating integration into the labour market.⁴

5-point programme to facilitate skills recognition shows positive results:

¹ For further information see

www.ris.bka.gv.at/Dokumente/RegV/REGV_COO_2026_100_2_827206/COO_2026_100_2_844973.html

(accessed on 1 November 2013).

² FLG. I No. 72/2013.

³ FLG. I No. 68/2013.

⁴ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

The 5-point programme to facilitate skills recognition of university graduates from third countries,⁵ presented in March 2012 by the Minister of Science and Research in cooperation with the State Secretary for Integration, is showing results. According to the Federal Ministry of Science and Research, there were 2,665 assessments of foreign higher education diplomas in 2012, compared to 2,073 assessments in 2011. This equates to an increase by around 30 per cent. Counselling of applicants on recognition matters via telephone and e-mail also increased accordingly.⁶

1.2.3 Cooperation with partner / third countries for economic migration

- a) Please complete the Table below on (planned) EU level or bilateral agreements linked to labour migration (e.g. Mobility Partnerships) planned or implemented:

Type of agreement (EU or bilateral)	Status of agreement (negotiated, signed, ratified, implemented) and the date of the action	Third countries involved including Southern Mediterranean ⁷ and Eastern Partnership ⁸ countries	Main purpose and rationale for the agreement (incl. relevant elements of content)
N/A	N/A	N/A	N/A

- b) Please also indicate whether any of the agreements favour circular migration (if so, list which ones here).
- c) In the framework of Mobility partnerships (and Common Agendas) please advise whether Migration and Mobility Resource Centres (MMRCs) have been / will be set up in the partner countries.

Currently, there are no cooperation agreements with third countries on labour migration or circular migration. In Austria, employment-related immigration is regulated by the Act Governing the Employment of Foreign Nationals as well as the Settlement and Residence Act and related decrees. These are considered to be adequate to ensure flexible management of labour migration while taking into account the quickly-evolving conditions of the Austrian labour market.⁹

⁵ For further information see International Organization for Migration (2013), *Austria Annual Policy Report 2012*, p. 11 and 43, available at www.emn.at/images/stories/2013/APR/APR_2012/AT_EMN_NCP_APR_2012_FINAL.pdf (accessed on 1 November 2013).

⁶ Federal Ministry of Science and Research, *BM Töchterle und StS Kurz: 5 Punkte-Programm zur verbesserten Berufsanerkennung von Akademikern aus Drittstaaten*, Press Release, 3 May 2012, available at [www.bmwf.gv.at/nc/startseite/das-ministerium/presse-und-news/news-details/bm-toechterle-und-sts-kurz-5-punkte-programm-zur-verbesserten-berufsanerkennung-von-akademikern-aus/?cHash=21557b1333ea0cd20feaafdf755392d1&sword_list\[0\]=punkte&sword_list\[1\]=programm&sword_list\[2\]=t%C3%B6chterle](http://www.bmwf.gv.at/nc/startseite/das-ministerium/presse-und-news/news-details/bm-toechterle-und-sts-kurz-5-punkte-programm-zur-verbesserten-berufsanerkennung-von-akademikern-aus/?cHash=21557b1333ea0cd20feaafdf755392d1&sword_list[0]=punkte&sword_list[1]=programm&sword_list[2]=t%C3%B6chterle) (accessed on 1 November 2013).

⁷ Morocco, Algeria, Tunisia, Libya and Egypt.

⁸ Ukraine, Belarus, Republic of Moldova, Georgia, Armenia and Azerbaijan.

⁹ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

1.2.4 Efforts to mitigate ‘brain drain’

Please describe any (planned) measures to mitigate brain drain. These might include awareness rising actions, development of data and indicators on this phenomena, prevention, list of countries and professions subject to brain drain. For reference also see the Section 3.6 "Brain Drain and Brain Circulation" in the "*EMN Synthesis report - Attracting Highly Qualified and Qualified Third-Country nationals*"¹⁰

- a) What were the drivers of the changes?
- b) What are the expected / desired results of the change? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

Nothing to report.

1.2.5 Efforts to avoid ‘social dumping’

Social dumping refers to the practice where workers from third countries are exploited as ‘cheap labour’ in order to increase profit margins of companies.¹¹

- a) Please describe any (planned) measures to mitigate social dumping. These might include, for example, sanctions on employers who employ legally-staying migrants irregularly.¹²
- b) What were the drivers of the changes?
- c) What are the expected / desired results of the change? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

The transposition of the Employer Sanctions Directive¹³ in 2011 led to changes in the Act Governing the Employment of Foreign Nationals and the almost simultaneously implemented Act on Combatting Wage and Social Dumping. Considerable gaps in combatting wage and social dumping as regards the employment of third-country nationals were addressed therein. Leaflets for irregular workers informing them about their labour rights and legal options under Austrian labour law have been developed in the languages of main countries of origin.¹⁴

1.2.6 Highly qualified workers

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of highly qualified workers? Specifically mention any incentive mechanisms for highly qualified workers above and beyond those introduced through the transposition and implementation of EU legislation.
- b) What were the drivers of the changes? Specifically mention whether or not it was related to the implementation of the EU Blue Card Directive

¹⁰ European Commission (2013), *Attracting Highly Qualified and Qualified Third-Country nationals*, available at http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/attracting/emnsr_attractinghqworkers_finalversion_23oct2013_publication.pdf (accessed on 9 April 2014).

¹¹ www.eurofound.europa.eu/areas/industrialrelations/dictionary/definitions/socialdumping.htm

¹² For questions on sanctions against employers who employ irregularly-staying migrants see section 2.7

¹³ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals, 2009/52/EC.

¹⁴ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

- c) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Changes in the application procedure for the ‘Red-White-Red Card’:

The Amendments to the Act on the Restructuring of the Aliens Authorities¹⁵ from April 2013, that will enter into force on 1 January 2014, amends the Settlement and Residence Act insofar as very highly qualified third-country nationals are now able to file their application for the ‘Red-White-Red Card’ also at Austrian diplomatic representations (embassies or consulates) abroad. This is possible if they hold an employment guarantee from an employer in Austria.¹⁶

Through this amendment, very highly qualified third-country nationals who had previously been denied the possibility to apply from abroad – which is usually foreseen in the Settlement and Residence Act – are no longer at a disadvantage in this regard. The possibility for very highly qualified third-country nationals to apply for the ‘Red-White-Red Card’ while staying regularly in Austria with a job search visa (Art 21 para 2(7) Settlement and Residence Act) remains, however, unchanged.¹⁷

Furthermore, the Amendments to the Act Governing the Employment of Foreign Nationals and the Act on the Employment of People with Disabilities,¹⁸ which entered into force in April 2013, made it possible to apply for a ‘Red-White-Red Card’ through an employer in Austria.¹⁹

Regulation for Skilled Workers 2014:

Along with the annual Regulation for Skilled Workers,²⁰ a new shortage occupations list was published for 2014. Skilled third-country nationals can immigrate to Austria through the ‘Red-White-Red Card’ as skilled workers in one of the listed shortage occupations. The list of shortage occupations comprises those occupations that were identified through predetermined shortage indicators (i.e. occupations that show a long-term labour demand that cannot be met through the national labour force or that of the EEA-area). Therefore, the immigration and employment of foreign skilled workers in shortage occupations can address an existing shortage of skilled workers in Austria, thereby safeguarding Austria's economic attractiveness and employment growth.²¹

Facilitated access to the ‘Red-White-Red Card’:

University assistants are able to work in Austria as scientists and researchers under the residence permit ‘exceptional cases – self-employment’ without further labour market approval, but many wish to be granted a ‘Red-White-Red Card’ as very highly qualified third-country nationals. This permit allows them to settle more permanently and to gain additional earnings outside the scientific sector. However, the conditions of full-employment and a certain minimum wage pose an obstacle to being granted a ‘Red-

¹⁵ FLG. I No. 68/2013.

¹⁶ For further information see www.help.gv.at/Portal.Node/hlpd/public/content/171/Seite.1710539.html (accessed on 1 November 2013).

¹⁷ Federal Ministry of the Interior, November 2013.

¹⁸ FLG. I No. 72/2013.

¹⁹ Ibid.

²⁰ FLG II No. 328/2013.

²¹ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

White-Red Card'. This is because university assistants often work only 30 hours a week, while ten hours are reserved for their scientific research.²²

A decree of the FMLSC from February 2013 now allows university assistants to apply for the 'Red-White-Red Card', but only if they have the necessary amount of points within the respective criteria (education, research successes, language skills, professional experience, etc.) and if they receive a minimum wage of around EUR 2,000 gross plus special payments.²³

The aim of this measure is to facilitate the employment of young academics so as to strengthen Austria as a location for business and science and to increase qualified employment in Austria.²⁴ Foreign students who are already integrated are especially regarded as a great asset for Austria.²⁵

Conference on (highly) qualified immigration:

On 12 June 2013, the Country Office of the International Organization for Migration (IOM) in Vienna as the National Contact Point (NCP) Austria in the European Migration Network (EMN) hosted a conference on the topic "Austria and the Global Competition for Talent – Approaches to the Immigration of (Highly) Qualified Third-Country Nationals". The Austrian NCP in the EMN is co-financed by the Austrian Federal Ministry of the Interior and the European Commission.²⁶

1.2.7 Intra-Corporate Transferees (ICTs)

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of ICTs?
- b) What were the drivers of the changes?
- c) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Thus far there have been no legal amendments in the area of ICTs.²⁷ Austria participates in negotiations of the Directive on ICTs.

1.2.8 Seasonal workers

²² Ibid.

²³ Federal Ministry of Science and Research, *Minister Töchterle und Hundstorfer: Spürbare Verbesserung der Rahmenbedingungen für Universitätsassistenten aus Drittstaaten*, Press Release, 7 February 2013, available at www.ots.at/presseaussendung/OTS_20130207_OTS0083/minister-toechterle-und-hundstorfer-spuerbare-verbesserung-der-rahmenbedingungen-fuer-universitaetsassistenten-aus-drittstaaten (accessed on 1 November 2013).

²⁴ Ibid.

²⁵ Federal Ministry of the Interior, *StS Kurz und WKÖ-Präsident Leitl beim Forum Alpbach: Österreich attraktiver für ausländische Fachkräfte machen*, Press Release, 28 February 2013, available at http://www.ots.at/presseaussendung/OTS_20130820_OTS0024/sts-kurz-und-wkoe-praesident-leitl-beim-forum-alpbach-oesterreich-attraktiver-fuer-auslaendische-fachkraefte-machen (accessed on 26 March 2014).

²⁶ IOM Vienna, *National EMN Conference Austria and the Global Competition for Talent – Approaches to the Immigration of (Highly) Qualified Third-Country Nationals*, 12 June 2013, Conference Report, available at www.emn.at/images/stories/2013/EMN-Konferenzen/Competition_for_talent/Conference_Report_National_EMN_Conference_Highlyqualified_Third_Country_Nationals_final.pdf (accessed on 11 November 2013).

²⁷ Federal Ministry of the Interior, November 2013.

- a) Has your Member State introduced (or made plans to introduce) any new measures to facilitate access of seasonal workers?
- b) What were the drivers of the changes?
- c) What are the expected / desired results of the change? Specifically highlight any information on how such measures are expected to contribute to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Austria participates in negotiations of the Directive on Seasonal Workers.

1.3 Students and researchers

- a) Has your Member State introduced (or made plans to introduce) any measures to facilitate greater mobility of students and researchers, also as a pathway towards meeting labour market needs? Specifically mention any incentive mechanisms in place for students and researchers beyond those introduced through the transposition and implementation of EU legislation. (Information relating to the mitigation of ‘brain drain’ should be provided in Section 1.2.4).
- b) What were the drivers of these changes?
- c) What are the expected / desired results of the change? Specifically state whether the measures are aimed at providing a pathway towards meeting labour market needs. / contributing to economic growth. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Austria participates in negotiations of the Directive on Students and Researchers.

Information brochures:

The Austrian Integration Fund, in cooperation with the State Secretariat for Integration, the Austrian Federal Economic Chamber and the Austrian University Conference, has published a brochure for foreign students and graduates. The information brochure “Studying & Working in Austria”²⁸ offers information about studying in Austria, working while studying as well as job-seeking after graduating. The brochure is available in German and English.²⁹

Furthermore, the bilingual information brochure “Guide to Entry and Residence Requirements for Foreign Students”³⁰ that provides information to students and researchers from third countries on immigration and residence in Austria was updated in 2013. The brochure was developed by the Austrian Exchange Service in cooperation with the Federal Ministry of Science and Research (FMSR), the MoI, the Federal Ministry of

²⁸Austrian Integration Fund, *Studieren & Arbeiten in Österreich*, 19 March 2013, available at www.integrationsfonds.at/fileadmin/Integrationsfond/5_wissen/Dossier25/OEIF_Handbuch_Studierende_web.pdf (accessed on 1 November 2013).

²⁹ For further information see Austrian Integration Fund, *Neue ÖIF-Studie: Potenzial ausländischer Studierender in Österreich zu wenig genutzt*, Press Release, 25 March 2013, available at www.ots.at/presseaussendung/OTS_20130325_OTSO101/neue-oeif-studie-potenzial-auslaendischer-studierender-in-oesterreich-zu-wenig-genutzt (accessed on 1 November 2013).

³⁰ Austrian Exchange Service, *Guide to Entry and Residence Requirements for Foreign Students*, Vienna, January 2012, available at www.bmi.gv.at/cms/BMI_Niederlassung/allg_infos_neu/guide_entry_students.pdf (accessed on 10 December 2013).

1.4 Family Reunification

- a) Has your Member State introduced (or made plans to introduce) any new policies / legislation or changes to existing policies and legislation regulating family reunification?
- b) What were the drivers of these changes?
- c) What are the expected / desired results of the change? Please also describe any concrete (planned) measures to further promote the integration of third-country nationals coming for the purpose of family reunification. Is there any evidence of the impact / results of these changes already? (If so, please provide it here).
- d) Specifically state whether the admission procedure for family members includes / covers:
 - o Human rights obligations,
 - o Reception capacity, and
 - o The family member's capacity to integrate, e.g. knowledge of the country's language, level of education, professional background, other.

Nothing to report.

1.5 Promoting legal migration channels

- a) Has your Member State introduced (or made plans to introduce) any measures to improve the provision of information on the routes to and conditions of legal migration for third-country nationals? These could include, for example, information campaigns, websites, specific centres, referring to any approaches that combine information with pre-departure measures, for example, upgrading skills and / or proficiency in EU languages.
- b) What were the drivers (if any) to the introduction of these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).
- d) Specifically, what has been the role and impact of the EU Immigration Portal in your (Member) State. Provide evidence of the impact.

The website www.migration.gv.at, which is maintained by the MoI, the FMLSC and the FMEIA was regularly updated in 2013. This website provides information in German and English about immigration possibilities, especially for highly qualified workers. Up-to-date information on settlement and residence in Austria can also be found on the MoI website www.bmi.gv.at/cms/bmi_niederlassung. Furthermore, the website www.help.gv.at serves as a guide to Austrian authorities, offices and institutions.

1.6 Integration³¹

Institutional changes:

As of June 2013, a change in the division of managerial responsibilities in the Federal Ministry of the Interior came into effect. Amongst others, a separate section for integration (Section V) was established, mainly to reflect the growing importance of the topic at public authority level as well as to better distinguish integration issues from other migration fields.³²

Integration report:

The third annual Integration Report³³ was published in August 2013. In the first part of the report, the Expert Council for Integration³⁴ formulated ten recommendations for future activities. The second part of the report is a statistical yearbook entitled “Migration & Integration”³⁵, which presents the latest statistics on integration in Austria. The third part consists of a “database – integration projects in Austria”,³⁶ which presents good practices in the field.³⁷

As regards the impact of integration measures in Austria, the yearbook “Migration & Integration” shows that whilst in 2010, 68 per cent of respondents found that “integration of migrants works rather badly or very badly”, in 2013 this number decreased to 55 per cent. In contrast, the number of people who stated that “integration is working well or very well” rose from 33 per cent in 2010 to 45 per cent in 2013.³⁸

Integration projects:

Numerous integration-related projects were carried out in 2013 (information about all integration projects in Austria is available on the website of the Austrian Integration Fund,³⁹ as well as in the “database – integration projects in Austria”⁴⁰).

³¹ Please also refer to the European Agenda for the Integration of third-Country nationals, COM(2011)455 final.

³² For further information see www.bmi.gv.at/cms/BMI_Geschaefteinteilung/sektion_5/start.aspx.

³³ State Secretariat for Integration, Expert Council for Integration, *Integration Report 2013 – Perspectives and Recommendations for Action*, August 2013, available at www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/Integration/Integrationsbericht_2013/Integration_Report_2013_final.pdf (accessed on 12 March 2014).

³⁴ The Expert Council for Integration was established within the Federal Ministry of the Interior as a competence centre; it consists of acknowledged public figures under the chairmanship of Heinz Fassmann, University of Vienna (www.bmeia.gv.at/en/foreign-ministry/integration/expert-council.html, accessed on 26 March 2014).

³⁵ Statistics Austria (2013), *Migration & Integration – Zahlen, Daten, Indikatoren 2013*, available at www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/Integration/Integrationsbericht_2013/Statistische_Jahrbuch_2013.pdf (accessed on 9 April 2014).

³⁶ For further information see Federal Ministry of the Interior (n.d.), *Datenbank für Integrationsprojekte in Österreich*, available at www.integration.gv.at/integrationsbericht/daten.aspx (accessed on 26 March 2014).

³⁷ Federal Ministry of the Interior, *Zentrale Herausforderung*. In: *Öffentliche Sicherheit*, September 2013, available at www.bmi.gv.at/cms/BMI_OeffentlicheSicherheit/2013/09_10/files/Integrationsbericht.pdf (accessed on 1 November 2013); State Secretariat for Integration, *Integrationsbericht 2013: Identifikation mit Österreich steigt*, News, 7 August 2013, available at www.integration.gv.at/news/news.aspx?nwid=55635962764F36777368513D&ctrl=504A685A306548572B7A31384651523644746A5550413D3D&nwo=2 (accessed on 26 March 2014).

³⁸ For further information see Federal Ministry of the Interior, *Zentrale Herausforderungen*. In: *Öffentliche Sicherheit*, September 2013, available at www.bmi.gv.at/cms/BMI_OeffentlicheSicherheit/2013/09_10/files/Integrationsbericht.pdf (accessed on 1 November 2013).

³⁹ Austrian Integration Fund, *Die geförderten Projekte auf einen Blick*, available at www.integrationsfonds.at/nc/de/europaeische_fonds/geofoerderte_projekte/ (accessed on 15 April 2014).

⁴⁰ For further information see State Secretariat for Integration, *Datenbank für Integrationsprojekte in Österreich*, available at www.integration.gv.at/integrationsbericht/daten.aspx (accessed on 26 March 2014).

Altogether, 171 integration projects were funded in 2013, with a sum totalling EUR 12.07 million. Out of the 171 projects, 28 were co-funded by the European Refugee Fund and 55 by the European Integration Fund, with a total sum of EUR 7.84 million EUR (European funds and MoI co-funding). Another 88 projects were funded by national integration funds with a total amount of around EUR 4.23 million.⁴¹

1.6.1 Statistics

See Country Factsheet: Austria 2013

1.6.2 Promoting integration through participation: socio-economic

- a) Please describe any (planned) measures to facilitate integration of migrants (including vulnerable migrants) through socio-economic participation including:
 - measures to enhance migrants' language skills, to improve attainment in the education system;
 - migrant access to social security, healthcare and housing
- b) What were the drivers of these changes?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).
- d) Describe how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

NB Information in relation to labour market integration is provided in Section 1.2.2.

Education:

A third phase of the project "Together: Austria",⁴² which was initiated in 2011, started in 2013 with the slogan "Together Austria – Your Chance!". The initiative, which is implemented by the Austrian Integration Fund and supported by the State Secretariat for Integration, sends voluntary integration ambassadors to schools throughout Austria to inform children and teenagers about various matters related to education and the labour market.⁴³

According to the statistical yearbook "Migration & Integration", non-native German speaking pupils are four times more likely to drop out of school after the eighth grade than native German-speaking pupils. As a consequence, it is suggested that foreigners are 50 per cent more likely to be unemployed than natives.⁴⁴ Several measures are in place to counteract these developments (for example the above mentioned initiative "Together:

⁴¹ Federal Ministry of the Interior, December 2013.

⁴² Website: www.zusammen-oesterreich.at.

⁴³ State Secretariat for Integration, "Zusammen: Österreich" startet mit "Deine Chance!" in die dritte Phase, Press Release, 20 June 2013, available at

www.integration.gv.at/news/news.aspx?nwid=584E4579532F784E2B446F3D&ctrl=504A685A306548572B7A31384651523644746A5550413D3D&nwo=10 (accessed on 26 March 2014).

⁴⁴ Statistics Austria (2013), *Migration & Integration – Zahlen, Daten, Indikatoren 2013*, p. 44, available at http://www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/Integration/Integrationsbericht_2013/Statistische_Jahrbuch_2013.pdf (accessed on 9 April 2014).

Austria”). These measures seek to raise awareness of the role that education plays for the future life of migrant youths, thus motivating them to perform well in school.⁴⁵

Language acquisition and education:

Through the Amendment to the Agreement Pursuant to Article 15a of the Federal Constitutional Act Concerning the Introduction of Half-Day, Free of Charge Compulsory Early Childhood Education in Institutional Childcare,⁴⁶ the funding of the compulsory free-of-charge kindergarten year was ensured for 2014/2015 with co-funding from the federal government. Among other things, the agreement provides language training for children between the ages of three and six so as to facilitate their entrance into the first school grade.⁴⁷

Language acquisition and access to the labour market:

Missing or limited German language skills are a challenge for many migrants in Austria when entering the labour market. Hence, the Austrian Labour Market Service offered also in 2013 various trainings, such as integration language courses, which combine language acquisition with professional training. Further measures introduced in 2013 that also target migrants included, for example, modular vocational training, education and training programmes for low-skilled workers with disabilities and mentoring for migrants to support qualified migrants in entering the labour market. Measures put a special emphasis on the integration of women and youth into the labour market.⁴⁸

During the first six years of the current structural fund (2007-2013), over 136,000 people participated in integration measures that are funded by the European Social Fund (ESF) and implemented by the Labour Market Service, the Federal Ministry for Education, Arts and Culture and the Austrian provinces. The ESF provided around EUR 25 million.⁴⁹

As regards the Labour Market Service, the internal diversity management was strengthened and strategies were further developed. Besides the Labour Market Service in Vienna, there will also be a migration commissioner appointed in Upper Austria to oversee the conception of services and the minimization of integration barriers.⁵⁰

Medical care:

With the signing of a Memorandum of Understanding in September 2013, the essential pillars for future cooperation between the State Secretariat for Integration and the Main Association of Austrian Social Security Institutions (MAASSI) in the area of migration and health were stipulated. Common activities include the development of a catalogue of measures and the appointment of an integration coordinator, functioning as the contact point for integration matters within the MAASSI. In practice, the MAASSI shall gather information about migrants' health conditions and take appropriate action.⁵¹

⁴⁵ State Secretariat for Integration, “Zusammen: Österreich” startet mit “Deine Chance!” in die dritte Phase, Press Release, 20 June 2013, available at www.integration.gv.at/news/news.aspx?nwid=584E4579532F784E2B446F3D&ctrl=504A685A306548572B7A31384651523644746A5550413D3D&nwo=10 (accessed on 26 March 2014).

⁴⁶ FLG I No. 196/2013.

⁴⁷ State Secretariat for Integration, *Integrationsbericht 2012*, July 2012, p. 20 et seq, available at www.integration.gv.at/media/files/integrationsbericht_2012/Integrationsbericht_2012_Band_1_ANSICHT.pdf (accessed on 26 March 2014).

⁴⁸ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

⁴⁹ Ibid.

⁵⁰ Federal Ministry of Labour, Social Affairs and Consumer Protection, December 2013.

⁵¹ Federal Ministry of the Interior, Chancengleichheit stärken. In: *Öffentliche Sicherheit*, March 2013, available at www.bmi.gv.at/cms/BMI_OeffentlicheSicherheit2013/03_04/files/MIGRATION_UND_GESUNDHEIT.pdf (accessed on 1 November 2013).

One of the goals of the National Plan of Action for Integration (NAP.I)⁵² is to increase migrants' access to healthcare services and to consolidate their trust in the Austrian health care system. This is deemed to be necessary because of a widening gap in the use of these services between Austrians and migrants. Cultural differences, socio-economic status, level of education, social isolation, language barriers and lacking knowledge about the structure of the Austrian health care system may hinder migrants' access to healthcare services.⁵³

1.6.3 Promoting integration through participation: rights and obligations, achieving equal treatment and belonging

- a) Please describe any (planned) measures to facilitate integration of migrants (including vulnerable migrants) through improving rights and obligations, achieving equal treatment and belonging:
- b) - measures might include increasing the participation of migrant representatives (including women) in the design and implementation of integration policies; outreach programmes and work placements to build capacity within migrant organisations and encourage support at local level; and measures to enhance democratic participation, for example, training mentors etc.
- c) What were the drivers of these changes?
- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).
- e) Describe how EU funding (e.g. the European Fund for the Integration of Third-Country Nationals and the European Refugee Fund) is being (better) used to support migrants' participation.

Amendments to the citizenship law:

The Amendments to the Citizenship Law 1985⁵⁴ made it possible as of 1 August 2013 for very well integrated individuals to obtain Austrian citizenship already after six years of consecutive legal residency (instead of ten years). To do so, applicants have to provide proof of their personal and linguistic integration in addition to general conditions.⁵⁵ The new Citizenship Law is expected to facilitate the naturalization of well-integrated migrants.⁵⁶

⁵² State Secretariat for Integration (n.d.), *Nationaler Aktionsplan für Integration - Bericht*, available at www.integration.gv.at/media/files/nap/Bericht_zum_Nationalen_Aktionsplan.pdf (accessed on 26 March 2014).

⁵³ Federal Ministry of the Interior, Chancengleichheit stärken. In: *Öffentliche Sicherheit*, March 2013, available at www.bmi.gv.at/cms/BMI_OeffentlicheSicherheit/2013/03_04/files/MIGRATION_UND_GESUNDHEIT.pdf (accessed on 1 November 2013); State Secretariat for Integration, "Zusammen: Österreich" startet mit "Deine Chance!" in die dritte Phase, Press Release, 20 June 2013, available at www.integration.gv.at/news/news.aspx?nwid=584E4579532F784E2B446F3D&ctrl=504A685A306548572B7A31384651523644746A5550413D3D&nwo=10 (accessed on 26 March 2014).

⁵⁴ FLG. I No. 136/2013.

⁵⁵ For further information see www.help.gv.at/Portal.Node/hlpd/public/content/171/Seite.1710591.html (accessed on 1 November 2013).

⁵⁶ Federal Ministry of Labour, Social Affairs and Consumer Protection, *Hundstorfer: Neues Staatsbürgerschaftsgesetz erleichtert Einbürgerung von gut integrierten Zuwanderern*, Press Release, 5 February 2013, available at www.bmask.gv.at/site/Presse/Presseaussendungen/Hundstorfer_Neues_Staatsbuergerschaftsgesetz_erleichtert_Eibuengerung_von_gut_integrierten_Zuwanderern?rangeFrom=80 (accessed on 1 November 2013).

Adjustment of the citizenship exam:

In this context, the citizenship exam was adjusted and will test less factual historical knowledge but rather focus on questions about legal and social norms in Austria.⁵⁷ A website called “My Austria – Preparations for the citizenship exam” has been set up,⁵⁸ providing general information about the new citizenship exam.⁵⁹ Also available on the website is a handbook entitled “Living together in Austria”⁶⁰ (available in German). The above mentioned website “My Austria – Preparations for the citizenship exam” can be used as study material for the citizenship exam.⁶¹ These resources communicate the Austrian constitution’s basic legal-cultural norms (rights and obligations) so as to promote the foundations of the Austrian society. The Expert Council for Integration found that there was a need for such awareness-raising.⁶²

The MoI suggests using funding from the European Integration Fund to develop a similar handbook on the EU Fundamental Rights Charta to inform third-country nationals about the EU as a community based on shared values and thereby to facilitate integration.⁶³

1.6.4 Non-discrimination

- a) Please describe any relevant activity, legal or policy development and related actors that concerned promotion, implementation and monitoring of non-discrimination policies, in particular on grounds of ethnicity, race or others that would be particularly relevant for third-country nationals. Specifically mention any measure beyond those introduced through the transposition and implementation of EU legislation.
- b) Please describe how these are linked to and can bring benefit to third-country national integration policies at EU, national and local level.

Nothing to report.

1.6.5 Cooperation, consultation and coordination of stakeholders and promoting action at local level

- a) Please describe any relevant activity on the integration of migrants which has had the active involvement of local authorities and/or civil society. Measures might include activities addressing integration challenges in disadvantaged urban areas; improving multi-level cooperation between different levels of governance; granting voting rights in local elections.

⁵⁷ Federal Ministry of the Interior, *StS Kurz: Reform des Staatsbürgerschaftsrechts ist auf Schiene*, Press Release, available at www.ots.at/presseaussendung/OTS_20130205_OTS0109/sts-kurz-reform-des-staatsbuergerschaftsrechts-auf-schiene (accessed on 26 March 2014).

⁵⁸ Website: www.staatsbuergerschaft.gv.at.

⁵⁹ Federal Ministry of the Interior, *Mein Österreich – Lernunterlage zur Staatsbürgerschaftsprüfung*, available at www.staatsbuergerschaft.gv.at/fileadmin/user_upload/Broschuere/StaBuBro.pdf (accessed on 22 October 2013).

⁶⁰ Federal Ministry of the Interior (2013), *Zusammenleben in Österreich*, available at www.staatsbuergerschaft.gv.at/fileadmin/user_upload/Broschuere/RWR-Fibel.pdf (accessed on 1 November 2013).

⁶¹ State Secretariat for Integration, *Staatsbürgerschaft: Werte-Fibel und Lernunterlage präsentiert*, Press Release, 24 April 2013, available at www.integration.at/news/news.aspx?nwid=2B5843777252566D31616F3D&ctrl=504A685A306548572B7A31384651523644746A5550413D3D&nwo=13 (accessed on 1 November 2013).

⁶² Federal Ministry of the Interior, December 2013.

⁶³ Ibid.

- b) Please describe any additional information on the processes for cooperation, consultation and coordination of national, regional and local authorities, including civil society, countries of origin and with EU level institutions and actors.
- c) Please describe relevant activity, such as the development of a national website and / or forum on integration, development of information exchanges between institutions, and possible contributions to the European Integration Forum, the European Website on Integration and the National Contact Points on Integration.

Integration policy at local level:

Integration policy in Austria is not only pursued at the federal government, but also at the local level by the provinces and municipalities. Hence, “Housing and the Regional Dimension of Integration” is one of the seven fields of action of the NAP.I. This field of activity seeks to promote a holistic integration approach at the municipal and regional levels.⁶⁴ According to the Integration Report 2013, the following projects have been implemented:

- “Integration in Rural Areas“ in selected regions;
- “Spatial Diversity and Integration” in partnership with the Austrian Conference on Spatial Planning;
- Publishing of a manual for mayors of small and medium-sized municipalities on integration.⁶⁵

Conference “Europe on the Move”:

In May 2013, the MoI organized the conference „Europe on the Move – Participation and Integration of EU-Citizens”. The conference made clear that the demand for integration programs for EU citizens is just as high as that for third-country nationals. Around 140 participants from 17 nations participated in the conference that discussed, among other things, the role of regional institutions in the integration process. The conference report concludes that also EU citizens need support, especially at the regional level, in order to be able to participate in all aspects of life and society.⁶⁶

1.6.6 Involvement of countries of origin

Countries of origin may play a role in the integration of migrants before departure, during stay in the EU, and on return.

- a) Please describe any measures to support integration involving countries of origin at any / all of these stages.

Pre-departure measures may include provision of information on visas and work permits, language training, vocational training, recognition of qualifications and skills; measures during stay may include support to diaspora communities,

⁶⁴ State Secretariat for Integration, *Nationaler Aktionsplan für Integration - Bericht*, p. 40-44, available at www.integration.gv.at/media/files/nap/Bericht_zum_Nationalen_Aktionsplan.pdf (accessed on 26 March 2014).

⁶⁵ State Secretariat for Integration, Expert Council for Integration, *Integration Report 2013 – Perspectives and Recommendations for Action*, August 2013, p. 43, available at www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/Integration/Integrationsbericht_2013/Integration_Report_2013_final.pdf (accessed on 12 March 2014).

⁶⁶ Federal Ministry of the Interior, *Europe on the move – Participation and Integration of EU-citizens – Final Report*, 7-8 May 2013, Vienna, Austria, available at <http://integration.gv.at/media/files/konferenz/Europe%20on%20the%20move%20-%20Final%20Report.pdf> (accessed on 9 April 2014).

promotion of transnational entrepreneurship, increasing trade between countries of origin and stay; measures to support return may include developing a rights-based framework for re-integration and for temporary and circular migration.

- b) What were the drivers to these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

“Integration from the beginning”:

Austrian integration policies follow the concept of “Integration from the Beginning”. The integration process is divided into four stages: (i) pre-departure integration at the Austrian diplomatic representation in the migrant’s country of origin; (ii) initial integration facilitated by newly established integration centres in Austria, the so-called Welcome Desks (these were opened in Vienna, Linz, Graz, Salzburg and Innsbruck in 2013); (iii) ‘deepening’ integration; and (iv) acquisition of citizenship. The concept and related measures try to ensure that each immigrant is part of a structured integration process from the very beginning.⁶⁷

Integration commissioner at the Austrian embassy in Ankara:

The MoI has deployed an integration commissioner to the Austrian embassy in Ankara within the framework of a cooperation agreement with the FMEIA. The integration commissioner is responsible for informing potential migrants about the opportunities and challenges of life in Austria, thereby initiating integration processes at an early stage. The integration commissioner plays an important role in the communication of migration opportunities to Austria and should also spread the Austrian ‘welcoming culture’, which is to be further developed.⁶⁸ The reporting back to Austria (in the form of monthly reports) increases the level of information in Austria about the needs of migrants and allows for an improved conceptual matching of support measures.⁶⁹

ERIS cooperation project:

Austria works with the Czech Republic, the Russian Federation and the International Centre for Migration Policy Development (ICMPD) within the framework of the ERIS project (Development of Joint Principles, Procedures and Standards on Integration Policies between the Russian Federation and European Partners). ERIS seeks to contribute to the further development of migration management systems in the area of integration of legally residing immigrants. Specifically, the project was initiated in order to facilitate the exchange of knowledge on integration policies between countries of origin and destination, to establish and maintain institutionalized cooperation between migration and integration authorities, and to jointly develop principles, procedures and standards on integration policies. The activities shall result in a manual that will serve as a point of reference in national capacity building for all Prague Process participating

⁶⁷ Austrian Integration Fund, VK Michael Spindelegger und StS Sebastian Kurz präsentieren “Integration von Anfang an”, Press Release, 8 July 2013, available at www.ots.at/presseaussendung/OTS_20130708_OTS0096/vk-michael-spindelegger-und-sts-sebastian-kurz-praesentierten-integration-von-anfang-an (accessed on 26 March 2014).

⁶⁸ State Secretariat for Integration, Expert Council for Integration, *Integration Report 2013 – Perspectives and Recommendations for Action*, August 2013, p. 13, available at www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/Integration/Integrationsbericht_2013/Integration_Report_2013_final.pdf (accessed on 12 March 2014).

⁶⁹ Federal Ministry of the Interior, December 2013.

states. The project was launched in May 2013 and is funded by the European Union and the project partners.⁷⁰

1.7 Managing Migration and Mobility

1.7.1 Statistics

See Country Factsheet: Austria 2013

1.7.2 Visa Policy

- a) Please describe (planned) developments in relation to the implementation of the Visa Code and the Visa Information System (VIS). Please specifically mention any developments in relation to biometric visas (share of visas issued which are biometric, regions covered, pilot measures and testing, cooperation between (Member) States' consulates and the set up joint consular services for visas).
- b) What were the drivers to these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

Implementation of the VIS and processing of biometric visas:

As a small/medium-sized Member State, only approximately 10 per cent of all Austrian embassies receive enough Schengen visa applications for them to constitute the consulates' main task. Because of their size, Austrian consulates do not exclusively deal with issuing biometric documents like D-visas, residence permits and passports but also provide other consular services such as assistance to citizens in need, consular protection, legalization of documents and many other things. This is why biometrics is only a subset of the consulates' daily work; Schengen visas fall under this subset.

Cooperation amongst Member States for Schengen visas has hardly any relieving effect but causes instead additional work in terms of administrating this kind of cooperation. Hence, as long as there is no basis for cooperation in all or the most pressing consular fields, Austria has no alternative but to process Schengen visas by itself and to seek assistance from external partners. Therefore, Austria enhanced its cooperation with External Service Providers (ESP) for processing visas.

As the VIS caused more manual work than fingerprinting and required a wider range of alphanumeric data to be captured, Austria looked for ways to maintain the quality of visa processing while simultaneously reducing manual work and assigning more diligence to the core visa process.⁷¹

- d) Please report on any relevant progress in relation to cooperation between (Member) State consular services and the set-up of joint consular services for

⁷⁰ Federal Ministry of the Interior, *Intensivierung der Zusammenarbeit mit Russland*, Press Release, 27 June 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=45706A66565878514F70413D&page=26&view=1 (accessed on 1 November 2013); http://ec.europa.eu/ewsi/en/news/newsdetail.cfm?ID_ITEMS=36931 (accessed on 4 November 2013).

⁷¹ Federal Ministry of the Interior, November 2013.

visas by listing the visa representation agreements signed and the (Member) States involved in the Table below.

(Member) State with which the visa representation agreement exists	Country acting as representative
Due to facts mentioned above, Austria concentrates only on cooperation with ESP; representation according to Art. 8 of the Visa Code.	See annex 28 of the Visa Code Handbook. ⁷²

1.7.3 Schengen Governance

- a) Please describe any recent developments in relation to Schengen Governance. Where relevant, please include any (planned) actions in relation to the new Schengen acquis, temporary suspension of Schengen, developments in relation to Regulation (EU) No 1342/2011 facilitating border crossing for Kaliningrad area etc.
- b) What were the drivers to these measures?
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

Border controls:

In 2013, Austria carried out border controls at six Austrian international airports. In addition, Austria is constantly aiming to improve the quality of border controls and to meet respective EU standards. As a country of transit and destination of migration movements, despite its small external Schengen border, Austria is strongly engaged in all areas of integrated border management (IBM).⁷³

Amendment of the Border Control Act:

In order to better meet future challenges in the area of border control (application of new technologies, use of biometric data, etc.), the Border Control Act was amended in the framework of the Amendments to the Act on the Restructuring of the Aliens Authorities (FLG. I No. 68/2013) of April 2013. In particular, the authority of border control personnel was extended (e.g. to check if finger-prints of third-country nationals who are subject to visa requirements match with the VIS). As part of this amendment, the Border Control Act was also adapted to the directly applicable Schengen Borders Code (Regulation (EC) No. 562/2006). The amended Border Control Act will enter into force on 1 January 2014.⁷⁴

Austria expects that these national legal amendments created not only the legal framework for current control technologies (such as VIS, ABC Systems, etc.), but are already in line with future EU systems, such as the Entry-Exit-System or the Registered Travel Programme.⁷⁵

⁷² www.nyidanmark.dk/bibliotek/publikationer/eu-dokumenter/visumhaandbog/annex_28.pdf (accessed on 9 April 2014).

⁷³ Federal Ministry of the Interior, December 2013.

⁷⁴ Ibid.

⁷⁵ Ibid.

2. IRREGULAR MIGRATION AND RETURN

Correspondence with the commitments of the Stockholm Programme

This section pertains to the following sections of the **Stockholm Programme**:

- Section 5.1 - Integrated management of the external borders; and
- Section 6.1.6 - Effective policies to combat illegal immigration;

And some sections of:

- Section 5.1 - Integrated management of the external borders;
- Section 5.2 - Visa policy;
- Section 6.2.1 - A common area of protection; and
- Section 7.5 - Geographical priorities and international organisations.

NB. The questions in this Section have the purpose of reporting activities in Member States that have contributed to the six Strategic Priority Areas outlined in the Strategic Response to EU Action on Migratory Pressures.⁷⁶

2.1 Priority I: Strengthening cooperation with third countries of transit and origin on migration management

2.1.1 Ensure implementation of all EU readmission agreements to their full effect

- a) Please report on activities undertaken to support the implementation of EU readmission agreements (implementing protocols, cooperation (including diplomatic pressure) with third countries to encourage implementation) by completing the Table and providing any additional relevant information in the box below:

EU Readmission agreement (country)	National development (i.e. implementing protocol, cooperation)	Date of agreement (if relevant)
Pakistan	Since an implementing protocol is not welcomed by Pakistani Authorities, Austria is satisfied with the well-functioning cooperation on readmission matters with the Pakistani Embassy in Vienna and the Ministry of the Interior of Pakistan located in Islamabad. Furthermore, Austria placed a liaison officer in Pakistan.	N/A

⁷⁶ 8714/1/12 REV 1 <http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf> (accessed on 9 April 2014).

Afghanistan:

In February 2013, the Austrian Foreign Minister and Vice Chancellor travelled to Afghanistan, where he met with Foreign Minister Zalmay Rassoul. It was agreed to initiate negotiations about a re-admission agreement. So far, Afghan authorities have not confirmed meeting requests to start such negotiations.⁷⁷

2.1.2 Enhance the capacity of countries of origin and transit to manage mixed migration flows

Please describe any specific developments to equip third-countries of first asylum with the means to guarantee refugee protection and to better manage mixed migration flows. If evidence is available, please describe the outcomes of these developments (e.g. increased number of asylum applications processed in countries of first asylum)

Nothing to report.

2.1.3 Prevention of irregular migration from (a) the Southern Mediterranean countries; (b) the Eastern Partners; (c) the Western Balkans; and (d) the Western Mediterranean and the African Atlantic coast

a) Please describe any specific cooperation activities in your Member State to prevent irregular migration in relation to the specific geographical regions outlined above.

(a) Morocco: Cooperation has been strengthened through several meetings with responsible stakeholders in Vienna and a high level mission to Rabat (MoI Deputy DG Bezdeka) for negotiations on readmission matters.⁷⁸

(b) Pakistan: Cooperation has been strengthened through several meetings with responsible stakeholders in Vienna and a high level mission to Islamabad (MoI Deputy DG Bezdeka) for negotiations on readmission matters.⁷⁹

Hungary: The five-point programme with Hungary started in October 2011 and will be continued. The main campaigns have been developed further. For example, there are 120 more joint missions on roads and rail in the common border region than in the beginning of the programme. Mixed patrols have also continued. So-called “Nimrod” patrols composed of policemen from Austria and Hungary are carried out at hot spots on the Hungarian side of the border.⁸⁰

Slovak Republic and Czech Republic: Bilateral Memoranda of Understanding were signed in October 2012 (SK) and March 2013 (CZ) respectively, to strengthen cooperation in five particular areas: establishing joint analysis and investigation groups; using Europol’s project FIMATHU (for details see 2.8.3); regular exchange of

⁷⁷ Federal Ministry of European and International Affairs, *Spindelegger in Kabul: Rücknahme abgewiesener Asylwerber thematisiert*, Press Release, 16 February 2013, available at www.bmeia.gv.at/ausserministerium/presse/presseaussendungen/2013/apa-spindelegger-in-kabul-ruecknahme-abgewiesener-asylwerber-thematisiert.html (accessed on 1 November 2013); Federal Ministry of the Interior, December 2013.

⁷⁸ Federal Ministry of the Interior, December 2013.

⁷⁹ Ibid.

⁸⁰ Ibid.

information; increasing the effectiveness of police measures; and continuation of mixed patrols in the common border areas.⁸¹

(c) The cooperation at the regional level and the set-up of an operational network have been further intensified within the framework of the security partnership “Forum Salzburg”.⁸²

(d) Nothing to report.

2.2 Priority II: Enhanced border management at the external borders

2.2.1 Border control measures: technology, equipment and infrastructure, including systems linked to EU instruments and actions to coordinate different types of border checks

- a) Please describe any new border control and surveillance developments, including technological equipment for border control purchased and used during the reference period, such as IT systems, advanced passenger information systems, surveillance equipment, automated border controls and fast track lanes, etc.
- b) Specifically, please describe, if possible, how the developments relate to (i) the EU entry / exit system, (ii) the EU Registered Traveller Programme, (iii) the Schengen Information System (SIS II) and (iv) European Border Surveillance System (EUROSUR).
- c) Where relevant, please describe any (other) drivers to these measures.
- d) If information is available, please describe any evidence of the effectiveness of these measures in preventing irregular migration
- e) If information is available, please describe any evidence of effectiveness of these measures in streamlining and facilitating the smooth crossing of legitimate travellers

Automatic border control device:

The test operation of an automatic border control device (eGate) at Vienna International Airport was completed in 2013. These tests were carried out in the framework of a national security research project entitled “Future Border Control”.⁸³

Furthermore, the MoI has been participating in the EU FP7 project “Fast Pass” since January 2013, which focuses on possibilities to harmonize automatic border control systems throughout Europe.⁸⁴

Putting the SIS II into service:

⁸¹ Ibid.

⁸² Forum Salzburg is a Central European security partnership initiated by the Austrian Federal Ministry of the Interior. The forum aims at coordinating collaboration within the EU, intensifying regional cooperation and at enhancing cooperation with the “Forum Salzburg’s friends” – the Western Balkan countries. Among the member states are Austria, Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovenia, Slovakia and Croatia. (For further information see www.salzburgforum.org).

⁸³ Federal Ministry of the Interior, December 2013.

⁸⁴ Ibid.

On 9 April 2013, the second generation of the Schengen Information System (SIS II) was put into service. The Austrian part, named “Sirene AT” is located within a high-security sector in the Federal Criminal Intelligence Service.⁸⁵

Austria has been a Schengen member since December 1997 and has carried out so-called Schengen tracing since then. Thanks to the SIS, 2,666 wanted individuals have been arrested in Austria for extradition to another Schengen state so far. In total, there have been 63,147 SIS-hits. In other Schengen states, 2,482 individuals have been arrested and extradited to Austria.⁸⁶

2.2.2 Border control measures: (other) activities to improve the effectiveness of controls at external borders (e.g. training and policy)

- a) Please describe any relevant (planned) developments to ensure more effective control of the external borders, such as reinforcing border control staff, providing training, increasing overall resources, introducing action plans or protocols, etc.
- b) If information is available, please describe any specific drivers behind these developments.
- c) If information is available, please describe any evidence of the impact / results of these activities / measures.

Measures to improve external border controls:

In the framework of a project seeking to improve external border controls, the following actions were pursued in 2013: (i) development of a national plan for IBM; (ii) optimization of risk assessment; (iii) evaluation of staffing and technical equipment; (iv) revision of the national legal framework; (v) strengthening border police; and (vi) implementation of trainings.⁸⁷

Training of police officials:

The comprehensive and constant training of police officials, especially of border control personnel of the Federal Police at airports, was continued in 2013.⁸⁸

2.2.3 Border control measures: support to Member States experiencing disproportionate pressures at the border (including participation in Frontex operations)

- a) Please describe whether your (Member) State has benefited from / has provided any support with regard to border control in case of specific and disproportionate pressures in your / in another (Member) State.

⁸⁵ Federal Ministry of the Interior, *SIS II geht in Betrieb*, Press Release, 5 April 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=736B482F3743526C6761493D&page=58&view=1 (accessed on 1 November 2013).

⁸⁶ Federal Ministry of the Interior, *Einführung des SIS II in Österreich*, Press Release, 5 April 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=426D68674573674E3349773D&page=9&view=1 (accessed on 1 November 2013); Federal Ministry of the Interior, *SIS II geht in Betrieb*, Press Release, 5 April 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=736B482F3743526C6761493D&page=58&view=1 (accessed on 1 November 2013).

⁸⁷ Federal Ministry of the Interior, December 2013.

⁸⁸ Ibid.

b) With regard to your (Member) State's participation in Frontex activities in this regard, please complete the Table

Austria is situated along important migration routes (the 'Central East European Route' and the 'Southeast European Route' or 'Balkan Route') and is therefore strongly interested in the surveillance of the most important points along these routes. For Austria as a Schengen state without external Schengen borders, participation in Frontex operations is strategically significant, as it allows Austria to play an active part in combating irregular migration at the EU external borders on the one hand, and on the other, to represent Austrian interests on-site, promoting national priorities.

Frontex operation	Member State(s) benefitting	Date of operation
Joint Operation "FOCAL POINTS Land"	Implementation at the land border to Serbia, Ukraine, Turkey, the Republic of Moldova and Belarus. Directly benefitting Member States: Poland, Slovenia, Croatia, Hungary, Romania, Bulgaria, Greece, etc.	Permanent
Pilot Project "Coordination Points"	Implementation at the land border to the Former Yugoslav Republic of Macedonia.	Temporary
Joint Operation "JUPITER"	Implementation in Hungary and Romania at the land border to Ukraine and the Republic of Moldova.	Temporary
Joint Operation "NEPTUNE"	Implementation in Hungary and Slovenia at the land border to Serbia.	Temporary
Joint Operation "POSEIDON" and Pilot Project "ATTICA"	Implementation in Greece and Bulgaria at the land and sea border to Turkey.	Permanent
Joint Operation "HERMES" and Joint Operation "AENEAS"	Implementation in Italy (Sicily) at the sea border to North Africa.	Temporary
Joint Operation "FLEXI FORCE" and Joint Operation "FOCAL POINTS Air"	Implementation at most affected EU airports; Vienna International Airport as hosting airport.	Temporary

2.2.4 Preventing and combating irregular immigration by ensuring strong and efficient border control agreements with third countries

- a) Please list any new or planned agreements, and other forms of bilateral and multilateral cooperation with third countries, specifying which countries, specifically in order to strengthen the control of external borders. This could include the provision of border equipment, training of border guards, etc. Please do not describe actions implemented with Frontex here (*these should be described above in question 2.2.3*).
- b) If information is available, please describe any evidence of the effectiveness of these measures

Title of agreement (where relevant)	Third country with whom the cooperation exists	Description / further information
N/A	N/A	N/A

Active participation in the Central Asia Border Security Initiative (CABSI):

The 11th CABSI conference (Central Asia Border Security Initiative; CABSI⁸⁹) took place in Ashgabat (Turkmenistan) in October 2013. It was organized, as in previous years, by the EU along with the Austrian MoI, which functions as the CABSI secretariat.⁹⁰

2.3 Priority III: Preventing irregular migration via the Greek-Turkish Border

2.3.1 Ensuring effective border controls are in place at the Greek-Turkish border and combating irregular immigration transiting Turkey to EU

- a) Please also describe any activities undertaken to increase operational capacity at the Greek-Turkish border. These could include activities implemented in conjunction with Frontex
- b) Please describe any bilateral activities to assist the Turkish authorities to strengthen their capacity to (i) combat irregular migration and (ii) to ensure the dignified return of third-country migrants through escorted transit and assisted voluntary return projects via Turkey.
- c) If information is available, please describe any evidence of the (positive) impact / results of these activities.

Nothing to report.

⁸⁹ CABSI was founded by the FMI in 2003. It is an important coordination forum for border management, border security, and the fight against drugs in the Central Asian region. Austria's MoI, closely cooperating with the European Union, functions as the secretariat of CABSI. (For further information see www.bomca.eu/cabsi.html.)

⁹⁰ http://eeas.europa.eu/delegations/kazakhstan/press_corner/all_news/news/2013/02.10.2013_2_en.htm (accessed on 9 April 2014).

2.4 Priority IV: Better tackling of abuse of legal migration channels

2.4.1 Combating and preventing irregular migration caused by visa liberalisation

- a) Please describe any measures introduced to monitor the effects of visa free regimes in your Member State.
- b) What have been the results of these monitoring activities? Describe here any key findings – especially in relation to impact on the number unfounded asylum applications registered in your Member State.
- c) Please describe measures taken to ensure the accelerated and swift return of persons from visa-free third countries found to be making unfounded asylum applications, to be overstaying permissions to stay or otherwise abusing legal migration channels.
- d) Please describe any evidence of the effectiveness of the measures to ensure return.

Nothing to report.

2.4.2 Combating and preventing irregular migration through misuse of family reunification

- a) Please provide data and further information on the number of cases of misuse of family reunification identified in your country.
- b) Please describe any measures introduced to decrease the number of such cases.
- c) What were the drivers to these measures?
- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

No statistical data on misuse of family reunification available.⁹¹

2.4.3 Combating and preventing irregular migration through misuse of student migration

- a) Please provide data and further information on the number of cases of misuse of student migration identified in your country.
- b) Please describe any measures introduced to prevent, identify and/or investigate misuse of student migration in your Member States
- c) What were the drivers to these measures?
- d) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here).

No statistical data on misuse of student migration available.⁹²

⁹¹ Federal Ministry of the Interior, November 2013.

2.5 Priority V: Safeguarding and protecting free movement by prevention of abuse by third-country nationals

2.5.1 Improving the understanding of abuse of free movement rights by third country nationals and preventing the fraudulent acquisition and use of free movement rights by third-country nationals

- a) Please describe any activities to monitor and analyse information on the fraud and abuse of free movement – specifically describe any procedures newly introduced for detecting false documents.
- b) Please describe any measures to share / disseminate the findings of the monitoring and analysis with other (Member) States to contribute to a better understanding of misuse of free movement. In particular, describe any activities undertaken as part of EU Joint Investigation Teams, via the FREEMO expert group, or through the EUROPOL Platform for Experts.
- c) Please describe measures taken to:
 - i. Implement enhanced security standards for EU documentation on legal stay (residence cards, etc.), including use of biometrics;
 - ii. Ensure common validation standards at borders and domestic controls; and
 - iii. Improve the security of the application and issuance processes for identity/EU documentation.
- d) If information is available, please describe any evidence of the effectiveness of these measures.

Nothing to report.

2.6 Priority VI: Enhancing migration management including cooperation on return practices

The relevant challenges in the Strategic Response for this sub-section are in particular:

2.6.1 Ensuring that all Member States have efficient migration management systems in place in order to be prepared for fluctuating migration pressures

- a) Please describe any specific measures undertaken to address unexpected migration flows to your own country;
- b) Please provide any evidence of the effectiveness of these measures, where available.

Nothing to report.

⁹² Federal Ministry of the Interior, November 2013.

2.6.2 Maximising the potential of a common EU approach in the field of return, both voluntary and forced in compliance with existing EU acquis

- a) Please describe measures taken to develop swift, sustainable and effective return using a common EU approach and in particular actions relevant to:
- i. Recording entry bans in the SIS and facilitating exchange of information on entry bans;⁹³
 - ii. Sharing best practice on return (voluntary and forced);
 - iii. Improving diffusion of the information to the persons affected;
 - iv. Improving cooperation with stakeholders in the field (e.g. civil society);
 - v. Improving operational cooperation with other (Member) States on joint return operations;
 - vi. Encouraging voluntary return programmes;
 - vii. Improving cooperation with stakeholders in the field (e.g. civil society) on assisted voluntary return programmes;
 - viii. Operation of national forced return monitoring system (established in accordance with Article 8 (6) of the Return Directive⁹⁴;
 - ix. Other actions.
- b) Please provide any evidence of the effectiveness of these measures, where available.

New detention centre:

In April 2013, the MoI signed a contract with the municipality of Vordernberg (Styria) for the assignment of services in the new detention centre Vordernberg. The new detention centre is fully equipped according to national and international experiences. It will be put into service in early 2014.⁹⁵

EURINT project:

As of 2013, Austria joined the pilot project European Integrated Return Management (EURINT), which was initiated by the Netherlands in 2011. The project seeks to create synergies and improve cooperation with third countries in the area of return. For example, expert groups were established to exchange experiences with challenges in forced returns to Afghanistan, Iraq and Pakistan.⁹⁶

Visit to Afghanistan:

In April 2013, a delegation of the MoI travelled to Afghanistan to meet with the Afghan Minister for Refugees and Return Matters to discuss return and reintegration measures. Regarding cooperation on return, improvement in issuing return certificates was

⁹³ This category of measure relates to the commitments of the Stockholm Programme specifically.

⁹⁴ Directive 2008/115/EC.

⁹⁵ Federal Ministry of the Interior, *Mikl-Leitner und Kogler besuchen das Schubhaftzentrum Vordernberg*, Press Release, 12 April 2013, available at www.bmi.gv.at/cms/BMI/_news/BMI.aspx?id=793877505145776F4A52413D&page=56&view=1 (accessed on 1 November 2013).

⁹⁶ Federal Ministry of the Interior, *Mikl-Leitner: Brauchen einheitliche EU-Standards zur Bewältigung der Asylanträge*, Press Release, 27 February 2013, available at www.bmi.gv.at/cms/BMI/_news/BMI.aspx?id=6A4353676D4D6E465038493D&page=71&view=1 (accessed on 1 November 2013).

envisaged. The MoI delegation was also informed about the security situation in Afghanistan, especially the situation for returnees from Austria.⁹⁷

Exchange visits with the Russian Federation:

In June 2013, the Russian Federation's deputy Director of the Federal Migration Service visited the Austrian MoI to discuss cooperation on return and reintegration projects.⁹⁸ In a reciprocal visit, a delegation of the MoI travelled to the Russian Federation in December 2013 to exchange views with the Russian Federal Migration Service as well as to meet several ministries of the Chechen Republic and the IOM. The aim of the visit was to better understand the local socioeconomic situation, particularly the circumstances that await returnees from Austria.⁹⁹

Assisted Voluntary Return and Reintegration Projects (AVRR):

Also in 2013, voluntary return was treated as a preferred alternative to deportation in Austria. Existing general and target group-specific programmes were consolidated and developed.

Between 1 January and 31 October 2013, a total of 2,443 people were supported by IOM Vienna in their voluntary return, partly with the financial support of the MoI.¹⁰⁰

In addition, the following voluntary return projects, funded by the MoI and the European Return Fund, were implemented by IOM in 2013:

- Assisted Voluntary Return and Reintegration of Returnees to the Russian Federation/the Chechen Republic;
- Assisted Voluntary Return and Reintegration of Returnees to Georgia;
- Assisted Voluntary Return and Reintegration of Nigerian Nationals;
- Assisted Voluntary Return and Reintegration of Returnees to Afghanistan;
- Assisted Voluntary Return and Reintegration of Returnees to Pakistan;
- Assisted Voluntary Return and Reintegration of Minors and Young Adults from Moldova with Emphasis on the Prevention of (Re-)Trafficking;
- Creation of a Voluntary Return European Network (VREN);¹⁰¹ and
- Job Placement Assistance for Voluntary Returnees from Austria, Belgium, France and the Netherlands returning to the Kurdistan Region of Iraq (MAGNET).¹⁰²

ICMPD, with funding from the FMI and the European Return Fund, carried out the following project to promote assisted voluntary return in 2013:

⁹⁷ Federal Ministry of the Interior, *BMI Delegation zu Migrationsgesprächen in Afghanistan*, Press Release, 16. April 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=44434631646B74624A38413D&page=55&view=1 (accessed on 1 November 2013).

⁹⁸ Federal Ministry of the Interior, *Intensivierung der Zusammenarbeit mit Russland*, Press Release, 27. June 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=45706A66565878514F70413D&page=26&view=1 (accessed on 1 November 2013).

⁹⁹ Federal Ministry of the Interior, *Österreichische Delegation besuchte Russische Föderation*, Press Release, 16 December 2013, available at www.bmi.gv.at/cms/bmi/news/bmi.aspx?id=317956657A6366547954633D&page=0&view=1 (accessed on 18 December 2013).

¹⁰⁰ International Organization for Migration (IOM), Country Office Vienna, own, unpublished statistics.

¹⁰¹ VREN is a joint project of the EU Member States Austria, Ireland, Italy, and Great Britain plus Switzerland.

¹⁰² MAGNET is a joint project of the following EU Member States: Austria, Belgium, France, and the Netherlands.

- Reintegration in Kosovo – Cooperation with Kosovo Authorities and the Economy.¹⁰³

2.6.3 Key statistics

See Country Factsheet: Austria 2013

2.7 Other measures to combat irregular migration

The following question does not specifically correspond to the priorities of the Strategic Response to EU Action on Migratory Pressures but rather corresponds to the commitments of the Stockholm Programme.

2.7.1 Developing a network of immigration liaison officers

- a) Please describe any measures to develop the network of immigration liaison officers.
- b) Please provide any evidence of the effectiveness of these measures, where available.

In 2013, Austrian Immigration Liaison Officers (ILOs) funded by the EU were deployed to the following countries:

- Georgia;
- UNSC resolution 1244-administered Kosovo;¹⁰⁴
- Morocco;
- Pakistan (new in 2013);
- Russian Federation; and
- Thailand.¹⁰⁵

Joint deployments of ILOs together with other member states took place in the following countries in 2013:

- Thailand (project partners: Slovenia, Hungary, Romania, Czech Republic); and
- Italy (Rome). Austria, along with Croatia, is a junior partner in this project; Slovenia is managing the project.¹⁰⁶

2.7.2 Monitoring and identifying migration routes

- a) Please describe measure to identify, monitor and aggregate information on migration routes;

¹⁰³ ICMPD, *Project Description*, available at www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/Capacity_building/Illegal_Migration_and_Return/projects/ReKoKo4/December_2013/ReKoKO_IV_info_note_EN_December_2013.pdf (accessed on 11 December 2013.)

¹⁰⁴ Hereinafter referred to as Kosovo/UNSC 1244.

¹⁰⁵ Federal Ministry of the Interior, December 2013.

¹⁰⁶ Ibid.

- b) What role do national immigration liaison officers (NLOs) play in gathering this data?
- c) How is this information used to develop your (Member) State's response to migratory flows¹⁰⁷.

Nothing to report.

2.7.3 Sanctions and measures against employers of illegally staying third-country nationals

- a) Please describe actions to implement sanctions and measures against employers of irregularly staying third-country nationals mentioning in particular measures beyond implementation of EU legislation.
- b) Please describe any specific (national) drivers / context to these measures.
- c) Please provide any evidence of the effectiveness of these measures to date, including any employment sectors where irregular activity is particularly concentrated

Nothing to report.

2.7.4 Key statistics

See Country Factsheet: Austria 2013

2.8 The fight against facilitation of irregular migration ('smuggling')

The following questions do not specifically correspond to the priorities of the Strategic Response to EU Action on Migratory Pressures but are important in relation to the development of future EU policymaking in this area.

2.8.1 Key statistics

See Country Factsheet: Austria 2013

2.8.2 Activities to monitor smuggling

- a) Describe any challenges faced by your (Member) State in collecting statistical data on smuggling?
- b) How does your (Member) State (plan to) address these issues?

2012 report on migrant smuggling:

The Federal Criminal Intelligence Service presented in 2013 its annual report on migrant smuggling, which includes information on smugglers, smuggled migrants and irregular

¹⁰⁷ This question relates to section 6.1.6 of the Stockholm Programme.

migrants as well as smuggling routes. The annual report is mainly based on data from the Federal Criminal Intelligence Service's smuggling database and on official missions carried out by the Federal Criminal Intelligence Service on its own or in cooperation with provincial offices and/or foreign authorities.¹⁰⁸

2.8.3 EU and international cooperation against smuggling

- a) Please describe any measures (e.g. cooperation agreements, joint actions) to enhance practical cooperation among different actors at:
 - i. National level;
 - ii. Between (Member) States);
 - iii. Via EU agencies (e.g. Frontex);
 - iv. With third countries; and
 - v. Through international organisations (e.g. UN).
- b) Please provide any evidence of the effectiveness of these measures, where available.

New special investigation teams established:

In the past years, investigations and targeted actions have been carried out by the Task Force Traiskirchen and the Special Investigation Team East. Since January 2013, two new special investigation teams are active in tackling human smuggling and combatting irregular migration. Firstly, the Special Investigation Team South, consisting of 12 police officers from the provincial police department of Burgenland and secondly, the Special Investigation Team North, consisting of 12 police officers from the provincial police department of Lower Austria. The former Task Force Traiskirchen was integrated into the Special Investigation Team North. Both special investigation teams are subordinate to the Federal Criminal Intelligence Service.¹⁰⁹

FIMATHU Project:

In 2013, the Special Investigation Teams North and South were connected to a smuggling database run by the FIMATHU (Facilitated Illegal Migration affecting Austria and Hungary) project. The database allows investigators to compare data and exchange information in order to take quicker and more effective action against smugglers. FIMATHU was initiated in September 2011 by Austria, Hungary and Europol. Besides Austria and Hungary, also Serbia, Germany, the Czech Republic, Poland, Slovakia, Slovenia, Switzerland, Romania, Bulgaria and Croatia participate in the project.¹¹⁰ In the

¹⁰⁸ Federal Criminal Intelligence Service (n.d.), *Organisierte Schlepperkriminalität 2012 Jahresbericht*, available at www.bmi.gv.at/cms/BK/publikationen/files/Schlepperbericht_2012.pdf (accessed on 1 November 2013); Federal Ministry of the Interior, *Mehr Geschleppte, weniger Schlepper*, Press Release, 23 August 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=7930726C4456547A384F633D&page=8&view=1 (accessed on 1 November 2013).

¹⁰⁹ Federal Ministry of the Interior, *Zerschlagung einer afghanischen Schlepperorganisation*, Press Release, 21 February 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=41346C6B6E4C46645437773D&page=75&view=1 (accessed on 1 November 2013).

¹¹⁰ Ibid.

first six months of 2013, three additional members (Bosnia-Herzegovina, Greece and EULEX/Kosovo) joined the FIMATHU project.¹¹¹

Europol operation “Fake”:

In 2013, Austria took part in operation “Fake”, which was coordinated by Europol. This operation carried out investigations in five European countries (Austria, Czech Republic, Germany, France and United Kingdom) against a criminal organization specialized in counterfeiting documents and human smuggling. During an operation in Austria, five suspects were apprehended and evidence was seized.¹¹²

According to the Federal Criminal Intelligence Service’s annual report on migrant smuggling (see above), 12,426 smuggled persons were apprehended in 2012. This is an increase of about 26 per cent compared to 2011. The Federal Criminal Intelligence Service concluded that close international investigative and analytical cooperation, as well as the national strategies, were successful.¹¹³

¹¹¹ Federal Ministry of the Interior, *Schlepperbericht 2012 zeigt Anstieg an illegaler Migration und an Schleppungen nach Österreich*, Press Release, 23 August 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=7A6B6E6E505036373934513D&page=2&view=1 (accessed on 1 November 2013).

¹¹² Federal Ministry of the Interior, *Erfolgreiche Beteiligung der SOKO Schlepperei Nord an Europol-Operation “Fake”*, Press Release, 23 October 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=384973545055664350464D3D&page=0&view=1 (accessed on 1 November 2013).

¹¹³ Federal Criminal Intelligence Service (n.d.), *Organisierte Schlepperkriminalität 2012 Jahresbericht*, available at www.bmi.gv.at/cms/BK/publikationen/files/Schlepperbericht_2012.pdf, p.3 (accessed on 1 November 2013); Federal Ministry of the Interior, *Schlepperbericht 2012 zeigt Anstieg an illegaler Migration und an Schleppungen nach Österreich*, Press Release, 23 August 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=7A6B6E6E505036373934513D&page=2&view=1 (accessed on 1 November 2013).

3. INTERNATIONAL PROTECTION INCLUDING ASYLUM

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the following sections of the **Stockholm Programme**:

- Section 6.2.1 - A common area of protection;
- Section 6.2.2 - Sharing of responsibilities and solidarity between the Member States; and
- Section 6.2.3 - The external dimension of asylum

This Section will also be used to provide information to inform EASO's Annual Report. Please note that questions about combating misuse of the national asylum system) are tackled under Section 2.4.1(b).

3.1 Common European Asylum System

3.1.1 Key statistics

See Country Factsheet: Austria 2013

3.1.2 The implementation of the Common European Asylum System

- a) Please provide information on changes in policies and practices relating to:
 - i. Access to the asylum procedure (information-provision/effective access to the procedure)
 - ii. Access to legal counselling and/or representation and provision of interpretation
 - iii. Dublin procedure (incl. transfers)
 - iv. Accelerated procedures (safe country policies, manifestly (un)founded procedures, etc.)
 - v. Reception of asylum-seekers and vulnerable groups (accommodation, financial and social support, access to labour, access to medical care, detention during the asylum procedure)
 - vi. First instance (interviews, refugee status determination, timeframes, case management, training)
 - vii. Appeal/Judicial Review (hearings, written procedures, timeframes, suspensive or not)
 - viii. Country of Origin Information
 - ix. Vulnerable groups e.g. unaccompanied minors (UAMs), gender, lesbian, gay, bisexual, transgender and intersex (LGBTI) within the asylum procedure
- b) Please describe any specific driver / context to these measures;
- c) What are the expected / desired results of the measures? Is there any evidence of the impact / results of these measures already? (If so, please provide it here)?

Austria continued its support for the implementation of the Common European Asylum System. In 2013 Austria most notably implemented the following activities:

Asylum system:

In Austria, a high quality asylum system is in place that guarantees access to the procedure at all border crossing points, as well as all public security offices across the country. Free legal support is offered during the initial admission as well as appeals procedures.¹¹⁴

Reception conditions:

A new working group of the Federal Government-Province Coordination Council was established in 2013 in order to work on common quality criteria for reception facilities across Austria.¹¹⁵

Increased access to vocational training:

In March 2013, the FMLSC issued a decree allowing asylum seekers up to the age of 25 to take up vocational training in occupations where there is a shortage of apprentices. However, the general rules on labour market access for asylum seekers remained unchanged. The changes were adopted because previous experiences had shown that an age limit of 18 years was too narrow to adequately encompass the target group.¹¹⁶

3.1.3 Institutional and legislative changes

- a) Please provide information on institutional changes in the asylum field at ministry/agency/section level (incl. changes in mandate),
- b) Please provide information on legislative changes pertaining to asylum implemented, adopted or pending in 2013.

Establishment of the Federal Office for Immigration and Asylum:

The establishment of the Federal Office for Immigration and Asylum was already stipulated in 2012 by the Act on the Restructuring of the Aliens Authorities.¹¹⁷ In 2013, the preparatory works for the establishment of the Federal Office were finalized so that it could take up its tasks on 1 January 2014. The Federal Office will be the single authority competent for first instance asylum procedures, alien police matters and residence permits on humanitarian grounds. The Federal Office will have the following responsibilities:

- First instance asylum procedures;
- Dublin procedures and communication/cooperation with other European authorities;
- Basic welfare support;
- Decisions regarding humanitarian and tolerated stay;

¹¹⁴ Federal Ministry of the Interior, December 2013.

¹¹⁵ Ibid.

¹¹⁶ Federal Ministry of Labour, Social Affairs and Consumer Protection, *Erweiterung der Beschäftigungsmöglichkeiten für Asylwerber/innen; Altersgrenze für jugendliche Asylwerber/innen*, BMASK-435.006/0005-VI/B/7/2013, available at www.wko.at/Content.Node/branchen/ooe/Altersgrenze_fuer_jugendliche_Asylwerber.pdf (accessed on 11 December 2013).

¹¹⁷ FLG. I No. 87/2012.

- Decisions in alien police matters, including return;
- Issues related to voluntary return;
- Decisions on custody pending deportation; and
- Issuing of documents such as convention travel documents.

Therewith, the new Federal Office will guarantee the continuation of a high-quality and efficient asylum system in Austria.

The Federal Office reports to the MoI and is headquartered in Vienna. In addition to this main office, there are three initial reception centres (abbreviated with “EAST” in German): EAST East in Traiskirchen, EAST West in Thalham and EAST Airport at Vienna International Airport in Schwechat. Furthermore, there are nine Regional Offices (Vienna, Lower Austria, Upper Austria, Burgenland, Styria, Carinthia, Salzburg, Tyrol and Vorarlberg) with approximately 630 employees.

Along with the Federal Office, a central Federal Administrative Court dealing with all appeals against decisions of the Federal Office will be established as of 1 January 2014, as stipulated by the Amendments to the Administrative Jurisdiction of 2012.¹¹⁸

3.1.4 Jurisprudence

- Please provide information on important new jurisprudence relating to asylum (with policy implications)
- What are the implications / possible impacts of the jurisprudence

Nothing to report.

3.1.5 Efficiency and Quality

Please provide information on measures undertaken to safeguard or improve:

- Efficiency (increase speed, reduce costs) of the national asylum system, and
- Quality of the national asylum system.
- Please include information on effectiveness (where evidence exists).

Austria continued to maintain a high standard of work in the field of asylum in 2013. Quality initiatives were implemented, and the duration of first instance procedures continued to decrease. More than 50 per cent of the cases were decided within three months and almost 90 per cent within eight months.¹¹⁹

According to the MoI, Austria has been able to effectively deal with a disproportionately high number of asylum seekers for many years without any quality or capacity problems because of the quality and effectiveness of the Austrian asylum system.¹²⁰

¹¹⁸ FLG. I No.51/2012; Federal Ministry of the Interior, December 2013.

¹¹⁹ Federal Ministry of the Interior, December 2013.

¹²⁰ Ibid.

3.1.6 Challenges in the asylum field

- a) Please indicate which aspects of the national asylum system have (i) proven to be particularly challenging or (ii) have been subject to criticism from third parties.
- b) Provide information on actions undertaken to counter these challenges.

As mentioned above, the biggest challenge continued to be the high number of asylum seekers. Austria has been under particular pressure for more than a decade when it comes to the total number of asylum applications and particularly in proportion to its population. However, according to the MoI, no quality or capacity problems have occurred.¹²¹

3.2 Cooperation with the European Asylum Support Office (EASO)

3.2.1 Participation in EASO activities

- a) Please provide information on your (Member) State's relevant participation in EASO activities, by type of activity (e.g. provision of staff for Asylum Support Teams).

Since February 2013, Mr. Wolfgang Taucher, Director of the Austrian Federal Asylum Office, acts as Chair of the Management Board of the European Asylum Support Office (EASO).¹²²

Austria is very active in supporting other Member States within the framework of EASO Asylum Support Teams. For example, in 2013, Austrian experts supported the implementation of Phase II of the Operational Plan for Greece in the field of second instance management, country of origin information (COI) and language analysis. Austria also provided one COI expert to support Bulgaria in this field.¹²³

Furthermore, the Austrian seconded national expert successfully completed his work at EASO.¹²⁴

3.2.2 Provision of support by EASO to the Member States

- a) Please provide information on relevant support provided by EASO to your (Member) State, by type of activity (e.g. training, emergency support, etc.)

Nothing to report.

¹²¹ Federal Ministry of the Interior, December 2013.

¹²² Federal Ministry of the Interior, *Wolfgang Taucher neuer Direktor des Bundesamts für Fremdenwesen und Asyl*, Press Release, 17 June 2013, available at www.bmi.gv.at/cms/BMI/news/BML.aspx?id=654B3854466C52666D65343D&page=31&view=1 (accessed on 1 November 2013).

¹²³ Federal Ministry of the Interior, December 2013.

¹²⁴ Ibid.

3.3 Intra-EU solidarity including relocation

3.3.1 Support to national asylum systems including relocation¹²⁵

- a) Please provide information on support provided to (Member) States experiencing specific and disproportionate pressures on their national asylum systems. This might include support in the processing of requests for international protection, seconding staff (for the Asylum Intervention Pool / EAC Expert Pool), sending resources or equipment.
- b) Please specify any action undertaken with regard to the relocation (note that this information may also be captured in the Table below).
- c) Please describe any evidence of the results / outcomes of this support, if available.

Relocation:

Austria continued to be one of the Member States most burdened by incoming asylum seekers in 2013. Due to the high number of asylum applications, especially the very high number of asylum applications per capita compared to other European countries, Austria has not participated in the EU's Relocation Programme as of yet.¹²⁶

Support provided to Greece and Bulgaria:

Austria provides practical support to several Member States, such as Greece and recently also Bulgaria within the framework of EASO activities (see 3.2.1). In addition, Austria provided Bulgaria with wool blankets, camp beds, mattresses and water cans within the framework of the European Civil Protection Mechanism.¹²⁷

3.3.2 Key statistics

See Country Factsheet: Austria 2013

3.4 Enhancing the external dimension including resettlement

3.4.1 Cooperation with third countries including resettlement¹²⁸

- a) Please describe *specific* cooperation with relevant non-EU countries to strengthen their asylum systems, including national asylum legislation and asylum policy frameworks (e.g. through Regional Protection Programmes).

¹²⁵ Relocation: the transfer of persons having a status, defined by the Geneva Convention or subsidiary protection (2004/83/EC) from the Member State which granted them international protection to another Member States where they will be granted similar protection (see EMN Glossary V2).

¹²⁶ Federal Ministry of the Interior, December 2013.

¹²⁷ Federal Ministry of the Interior, *Mikl-Leitner: Österreich hilft bei Bewältigung der syrischen Flüchtlingskatastrophe in Bulgarien*, Press Release, 29 October 2013, available at www.ots.at/presseaussendung/OTS_20131029_OTS0031/mikl-leitner-oesterreich-hilft-bei-bewaeltigung-der-syrischen-fluechtlingskatastrophe-in-bulgarien (accessed on 1 November 2013).

¹²⁸ Resettlement: the transfer on a request from the UNHCR and based on their need for international protection, of a third-country national or stateless person from a third country to a Member State where they are permitted to reside with one of the following statuses: i. refugee status ii. a status which offers the same rights and benefits under national and EU law as refugee status (see EMN Glossary Version 2).

- b) Please describe resettlement activities to your (Member) State of people placed under the protection of the Office of the UNHCR in third countries, specifying from which countries.
- c) Please describe any evidence of the results / outcomes of this cooperation, if available.

Humanitarian Admission Program for Syrian refugees:

In September 2013, Austria decided to grant permanent asylum to 500 Syrian refugees. The focus lies on admitting particular vulnerable persons. The programme is / will be implemented as follows:

- (1) 250 Syrian refugees will be admitted to Austria as family reunification cases in cooperation with IOM;
- (2) 250 Syrian refugees will be admitted in cooperation with the United Nations High Commissioner for Refugees (UNHCR).¹²⁹

Financial support for the Syrian Arab Republic and its neighbours:

In 2013, Austria increased its humanitarian aid for the Syrian Arab Republic and the affected neighbouring countries through the Foreign Catastrophe Fund.¹³⁰ By the end of October 2013, Austria had invested a total of EUR 7.4 million.¹³¹

Armenia, a target country of Austrian development cooperation, specifically asked for support in accommodating Syrian-Armenian refugees and providing supply. In response, the Austrian Development Agency (ADA) provided EUR 600,000 to the Austrian Red Cross and Caritas for providing interim assistance to 400 families in need, in cooperation with national authorities and the United Nations.¹³²

3.4.2 Key statistics

See Country Factsheet: Austria 2013

¹²⁹ Federal Ministry of the Interior, *Q&A Humanitäre Aktion Syrien*, Press Release, available at www.bmi.gv.at/cms/cs03documentsbmi/1417.pdf (accessed on 1 November 2013).

¹³⁰ Federal Ministry of European and International Affairs, *Österreich reagiert auf die Verschärfung der humanitären Krise in Syrien*, Press Release, 13 August 2013, available at www.ots.at/presseaussendung/OTS_20130813_OTS0068/oesterreich-reagiert-auf-die-verschaerfung-der-humanitaeren-krise-in-syrien (accessed on 1 November 2013); Federal Ministry of European and International Affairs, *Spindelegger: "Zwei Millionen für syrische Flüchtlingskrise"*, Press Release, 16 April 2013, available at www.ots.at/presseaussendung/OTS_20130416_OTS0137/spindelegger-zwei-millionen-fuer-syrische-fluechtlingskrise (accessed on 1 November 2013).

¹³¹ Federal Ministry of European and International Affairs, *Spindelegger kündigt Unterstützung Armeniens bei der Versorgung von Flüchtlingen aus Syrien an*, Press Release, 25 October 2013, available at www.ots.at/presseaussendung/OTS_20131025_OTS0217/spindelegger-kuendigt-unterstuetzung-armeniens-bei-der-versorgung-von-fluechtlingen-aus-syrien-an (accessed on 1 November 2013).

¹³² Ibid.

4. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the following sections of the Stockholm Programme:

- Section 6.1.7 - Unaccompanied Minors; and

Some sections of:

- Section 2.3.2 – Protection of children.

4.1 Unaccompanied minors

- a) Please describe any changes in policy and/or practice in relation to unaccompanied minors (UAMs) at national and international levels.
- b) How do these developments relate to the Action Plan on UAMs¹³³ and its Mid-term Review?
- c) Please provide any other relevant information on drivers of the changes to policy / practice.
- d) What are the expected / desired results of the developments? Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

Projects on unaccompanied minors:

In 2013, the second phase of the project “Cultural Orientation Trainings for Unaccompanied Minor Refugees - CulTrain” was implemented by IOM Vienna. The project provides unaccompanied minors and those who turned 18 and who hold a refugee or subsidiary protection status with information about Austrian society and culture through cultural orientation trainings in order to facilitate their integration process into Austrian society. The project is co-funded by the European Refugee Fund and the MoI.¹³⁴

Furthermore, the MoI and the European Refugee Fund continued their support in 2013 of a quality assurance project seeking to assist authorities processing asylum procedures of unaccompanied minors (UBAUM). The project was implemented by UNHCR in cooperation with the Federal Asylum Office.

Family tracing:

In transposition of Art 31 para 5 of the Qualifications Directive,¹³⁵ Austria has started developing internal guidelines for caseworkers on family tracing. Several EASO meetings throughout 2013 on the topic of family tracing offered fruitful contributions and input to these guidelines.¹³⁶

¹³³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0213:FIN:EN:PDF> (accessed on 15 April 2014) plus the Mid-term Review

Report: http://ec.europa.eu/dgs/home-affairs/e-library/docs/uam/uam_report_20120928_en.pdf (accessed on 15 April 2014).

¹³⁴ International Organization for Migration - Country Office for Austria, *Integration - Ongoing Projects*, available at www.iomvienna.at/en/aktivitaeten/integration/laufende-projekte (accessed on 14 March 2014).

¹³⁵ Directive 2011/95/EU of the European Parliament and of the Council on 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), 2011/95/EU.

¹³⁶ Federal Ministry of the Interior, December 2013.

4.2 Other vulnerable groups

- a) Please describe any changes to policy and/or practice in relation to other vulnerable groups at national and international levels.
- b) Please provide any other relevant information on drivers of the changes to policy / practice.
- c) What are the expected / desired results of the developments? Is there any evidence of the impact / results of these changes already? (If so, please provide it here)?

Nothing to report.

4.3 Key statistics

See Country Factsheet: Austria 2013

5 ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the some part of the following section of the Stockholm Programme:

- Section 6.1.6 - Effective policies to combat illegal immigration

This Section should be completed in the context of the "EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016)"¹³⁷, and you should liaise with your National Rapporteur on Trafficking in Human Beings or Equivalent Mechanism (NREMs).

NREMs share information with the Commission (via the informal of EU Network of NREMs) on a biannual basis on developments relevant to their national legal and policy framework. This information can be used for this reporting exercise too. All information is uploaded accordingly to the EU Anti-Trafficking Website under the section of national pages.¹³⁸ In section 5.1, EMN NCPs are invited to add any information corresponding and additional to that uploaded onto the EU Anti-trafficking website if necessary / appropriate; the remainder of the questions in Section 5 correspond to the EU Strategy.

5.1 Information corresponding to the EU Anti-trafficking website

The structure of the information on the EU anti-trafficking website on national actions for addressing trafficking in human beings (THB) is as follows:

- a. General Information (includes information on the National Strategy on THB, Action Plans on THB; Annual reports on THB and links to internet sites, where it is available; information on the state of play within the country regarding to THB (data on victims, criminal proceedings, etc.).
- b. Institutional and legal Framework (includes legislation on THB; anti trafficking actions at national level; tasks of National Rapporteur or Equivalent mechanism (NREM).
- c. Implementation of Anti-Trafficking Policy (Prevention, national Referral mechanism, assistance and support to victims, campaigns, trainings and other activities related to anti-trafficking policy).
- d. EU and International Cooperation (EU or other institutions funded projects, etc.).

Please provide any additional information you deem appropriate from your services perspective.

Amendments to the Law Governing Sexual Offences:

On 1 August 2013, the Amendments to the Law Governing Sexual Offences¹³⁹ entered into force. Thereby, the definition of "trafficking in human beings" as provided by Art. 104a of the Criminal Code was widened to include exploitation through organ extraction, labour exploitation, exploitation of begging and exploitation to commit crimes. Furthermore, the penalties for the offence were raised. The maximum prison sentence

¹³⁷ <http://ec.europa.eu/anti-trafficking/> (accessed on 10 April 2014).

¹³⁸ <http://ec.europa.eu/anti-trafficking/section.action;jsessionid=FlNRYRm0cwWGc3ZQv58Qy1LrdG8bRRTJhj2t6dzJS6fdVQm0xZ6GP!909126266?sectionPath=National+Info+Pages> (accessed on 10 April 2014).

¹³⁹ FLG. I No. 116/2013.

was increased to up to five years. Human trafficking of minors is to be punished by a prison sentence from one to ten years.

The Amendments to the Law Governing Sexual Offences transpose the directive on combating the sexual abuse and sexual exploitation of children and child pornography¹⁴⁰ and the directive on preventing and combating trafficking in human beings and protecting its victims.¹⁴¹

Awareness raising campaigns:

As in previous years, the Task Force on Combating Human Trafficking¹⁴² organized several public information events. For example, an exhibition entitled “Human Trafficking – Slavery in the 21st Century” targeting students age 15 and upwards, took place in April 2013 in the FMEAC.¹⁴³

For the sixth time, a public event co-organized by the Task Force on Combating Human Trafficking and IOM Vienna took place in October on the occasion of the EU Anti-Trafficking Day. This year’s event, entitled “Joining Forces against Human Trafficking”, focused on the topic of human trafficking for the purpose of labour exploitation.¹⁴⁴

Anti-trafficking projects:

In 2013, the MoI co-funded the IOM Vienna project “Assisted Voluntary Return and Reintegration of Minors and Young Adults from Moldova with emphasis on the Prevention of (Re-) Trafficking” together with the European Return Fund.¹⁴⁵

¹⁴⁰ Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, 2011/93/EU.

¹⁴¹ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, 2011/36/EU; Federal Ministry of Justice, *Sexualstrafrechtsänderungsgesetz 2013 – Vorblatt*, p. 2, available at www.justiz.gv.at/web2013/file/2c948485398b9b2a013c629c83f02bdd.de.0/vorbl.pdf (accessed on 19 December 2013).

¹⁴² The Task Force on Human Trafficking was established by the Austrian federal government and is coordinated by the Federal Ministry of European and International Affairs. For further information see International Organization for Migration (2013), *Austria Annual Policy Report 2012*, p. 25 and 60, available at www.emn.at/images/stories/2013/APR/APR_2012/AT_EMN_NCP_APR_2012_FINAL.pdf (accessed on 1 November 2013).

¹⁴³ Federal Ministry of the Interior, *Bundeskriminalamt informiert Schülerinnen und Schüler zum Thema Menschenhandel*, Press Release, 30 April 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=583058732B3746755734673D&page=7&view=1 (accessed on 1 November 2013).

¹⁴⁴ Austrian Development Cooperation, *Gemeinsam gegen Menschenhandel*, Press Release, October 2013, available at www.entwicklung.at/aktuelles/gemeinsam-gegen-menschenhandel/ (accessed on 1 November 2013); Federal Ministry of European and International Affairs et al., *Gemeinsam gegen Menschenhandel – Joining Forces against Human Trafficking*, Press Release, October 2013, available at http://bim.lbg.ac.at/files/sites/bim/Menschenhandelskonferenz%20Task%20Force_2013.pdf (accessed on 1 November 2013).

¹⁴⁵ International Organization for Migration - Country Office for Austria, *Assisted Voluntary Return and Reintegration of Minors and Young Adults from Moldova with emphasis on the Prevention of (Re-) Trafficking*, available at www.iomvienna.at/en/aktivitaeten/reintegrationsunterstuetzung/laufende-projekte/660-assisted-voluntary-return-and-reintegration-of-minors-and-young-adults-from-moldova-with-emphasis-on-the-prevention-of-re-trafficking (accessed on 10 April 2014).

5.2 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Identifying, protecting and assisting victims of trafficking

5.2.1 Key statistics

See Country Factsheet: Austria 2013

5.2.2 Improving the identification of and provision of information to victims

- a) Please describe any (planned) measures introduced / developed in 2013 relation to improving / facilitating the identification of victims, e.g. new guidelines, training of frontline officers, improving coordination between relevant actors, creation of task forces, etc.
- b) Please describe any (planned) measures introduced / developed in 2013 to improve the provision of information on rights and access to services to victims of trafficking in human beings.
- a) If available, please provide any evidence of the effectiveness / impact of the measures.

An Austria-specific brochure based on the EU brochure on Rights of Victims of Trafficking is planned for 2014.¹⁴⁶

5.2.3 Protection of Child¹⁴⁷ Victims of Trafficking

- a) Please describe any (planned) measures introduced / developed in 2013 in relation to the protection of child victims specifically. This might include the introduction of specific policies and/or guidelines, actions to improve coordination between child welfare officers / guardians and other relevant actors (e.g. law enforcement) or the establishment of child-specific shelters.
- b) If available, please provide any evidence of the effectiveness / impact of the measures.

Update of information brochure:

The information broche “Child trafficking in Austria”,¹⁴⁸ published by the Federal Ministry of Economy, Family and Youth (FMEFY), was updated by Working Group on Child Trafficking (a subgroup of the Task Force on Combating Human Trafficking) in 2013.

¹⁴⁶ Federal Ministry of the Interior, December 2013.

¹⁴⁷ In line with Directive 2011/36/EU, ‘child’ shall mean any person below 18 years of age.

¹⁴⁸ Federal Ministry for Economy, Family and Youth (2013), *Kinderhandel in Österreich*, available at www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/2-Aussenpolitik_Zentrale/Menschenrechte/Kinderhandel_Neuaufgabe-D-Web.pdf (accessed on 14 March 2014).

5.3 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Enhanced coordination and cooperation among key actors and policy coherence

5.3.1 Coordination and cooperation among key actors

- a) Please describe any developments with regard to interagency coordination and cooperation among key actors and policy coherence at national and EU level. Is there a multidisciplinary and multiagency approach?
- b) Please describe any developments with regard to coordination and cooperation between national civil society organisations (e.g. participation in the EU civil society platform).¹⁴⁹

Please only refer to cooperation with regard to addressing trafficking in human beings in this section.

Working Group on labour exploitation:

A new working group on Trafficking for the Purpose of Labour Exploitation was established within the national Task Force on Combating Human Trafficking. NGOs and Social Partners¹⁵⁰ participate in this working group.¹⁵¹

5.3.2 Coordinating EU External Policy Activities

- a) Please describe any (planned) cooperation mechanisms with source countries (third countries only) to strengthen cooperation, create partnerships and improve coordination and coherence and awareness raising.

Cooperation with Thailand:

Austria signed an agreement with Thailand on international police cooperation on combatting trafficking in human beings. Six experts of the Thai police came to visit Austria in May 2013, where they were informed about Austrian measures and strategies to combat human trafficking such as investigations targeting international smugglers, the link between human trafficking and prostitution, as well as cooperation with asylum authorities and the civil society. The Thai police experts' visit aimed at exchanging knowledge and strategies in combatting human trafficking and to intensify cooperation in this field.¹⁵²

¹⁴⁹ For more information see <http://ec.europa.eu/anti-trafficking/entity.action?path=EU+Policy%2FCommission+launches+Platform> (accessed on 10 April 2014).

¹⁵⁰ The system of social partnership in Austria is a highly developed corporate structure of voluntary reconciliation of interests between employers, employees and the state. Within this system, employers and employees are represented by a small circle of major organizations, the so called social partners. For further information, see Chamber of Labour, Chamber of Agriculture, Austrian Trade Union Federation, Austrian Federal Economic Chamber, *The Austrian Social Partnership*, available at www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf (accessed on 10 April 2014).

¹⁵¹ Federal Ministry of the Interior, December 2013.

¹⁵² Federal Ministry of the Interior, *Kooperation mit Thailand in der Bekämpfung des Menschenhandels*, Press Release, 10 May 2013, available at www.bmi.gv.at/cms/BMI/news/BMI.aspx?id=52387534584F75767049733D&page=48&view=1 (accessed on 1 November 2013).

Cooperation with China:

In September 2013, the head of the Austrian Central Office for Trafficking in Human Beings and Alien Smuggling within the Federal Criminal Intelligence Service participated in a seminar on combatting human trafficking in Beijing (People's Republic of China). The training was organized by IOM together with representatives of the Chinese Ministry of Public Security and local provinces in China.¹⁵³

5.3.3 Key statistics

See Country Factsheet: Austria 2013

5.4 Implementation of the EU Strategy towards the Eradication of Trafficking in Human Beings: Increased knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings

5.4.1 Developing an EU-wide system for data collection

- i. Describe any challenges faced by your (Member) State in collecting statistical data on reflection periods and residence permits to victims of trafficking in human beings?
- ii. How does your (Member) State (plan to) address these issues?
- iii. Linked to this, please describe any measures to improve the registration of victims of trafficking in human beings / collection of statistical data (specifically by immigration offices) on the given reflection period, requested and granted residents permit, taking into account data protection legislation?
- iv. Please also describe how your (Member) State cooperates with other actors such as civil society organisation and the national rapporteur or equivalent mechanisms (NREMs) in order to provide a complete overview of victims given the reflection period and the residents permit.

Nothing to report.

¹⁵³ Federal Ministry of the Interior, *Kampf gegen Menschenhandel: Führungskraft des Bundeskriminalamtes bei Training in Peking*, Press Release, 27 September 2013, available at www.bmi.gv.at/cms/bk/news/start.aspx?id=65623439545470466770343D&page=2&view=1 (accessed on 1 November 2013).

6. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

Correspondence to the Commitments of the Stockholm Programme

This section pertains to elements of the following sections of the Stockholm Programme:

- Section 6.1.1 - Consolidating, developing and implementing the EU Global Approach to Migration
- Section 6.1.2 - Migration and development
- Section 7 - External dimension

6.1 Progress towards mainstreaming of migration in development policies

Please describe any relevant activity - e.g. studies, development of approaches to make migration an integral part in sectoral policies (e.g. agriculture, health, education, etc.), solidarity development projects, etc. – to mainstream migration in development policies.

Initiative for Migration and Development (CoMiDe):

The ADA continued also in 2013 to support the transnational Initiative for Migration and Development (CoMiDe), which aims to enhance coherent migration and development policies in four European countries. Its objective is to initiate cooperation between development NGOs, migrant organizations and communities in Italy, Slovenia, Slovakia, and Austria.¹⁵⁴

Conference on Migration and Development:

On 17 December 2013, IOM Vienna organized an event together with the FMEIA on “Migration & Development – An outlook. Potentials of the 2nd UN High-level Dialogue on International Migration and Development 2013 for Austria”. The event provided expert speeches on the outcomes of the 2nd UN High Level Dialogue on International Migration and Development and presented the findings of the IOM World Migration Report 2013 entitled “Migrant Well-Being and Development” so as to discuss the future possibilities and impacts of migration for Austria with the audience.¹⁵⁵

6.2 Migrants’ Remittances

- a) Please describe any relevant developments and activities in the area of remittances, including financial support to such actions, implementation of an instrument for transferring migrants' remittances, co-development actions, etc.
- b) What are the expected / desired results of the development? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

¹⁵⁴ Federal Ministry of European and International Affairs, December 2013.

¹⁵⁵ International Organization for Migration - Country Office for Austria, *Migration and Development*, available at www.iomvienna.at/en/aktivitaeten/migration-und-entwicklung/laufende-projekte (accessed on 14 March 2014).

In 2013, the Federal Ministry of Finance provided financial support to the World Bank Remittances Programme, in particular for the funding of studies and dissemination of information about remittances in the Europe and Central Asia region.¹⁵⁶

6.3 Working with Diasporas

- a) Please provide information on (planned) national policies or actions for involving diaspora groups in EU development initiatives and supporting diaspora groups in their efforts to enhance development in their countries of origin.
- b) Specifically describe any specific activities to address migrant rights and the empowerment of migrants.
- c) What are the (other) expected / desired results of the development? Is there any evidence of the impact / results of these changes already? (If so, please provide it here).

Information and awareness raising events:

The “Pan African Forum – Action Program 2013”, a dialogue and culture programme organized by the Pan-African Forum in Austria for Culture and Development Policy (PANAFPA), took place in Vienna in 2013 with the financial support of the Austrian development cooperation. Activities included information and dialogue events, an exhibition of African art, a cultural programme for children and adults, as well as a symposium on diaspora-driven development in Africa. Primary target audiences were African diasporas, children and teenagers as well as the wider public.¹⁵⁷

Furthermore, ADA’s development communication and educational work in Austria focused on migration and development in 2013. NGO initiatives targeting the Austrian public, in which awareness was raised about the reasons for and the consequences of international migration, were funded.¹⁵⁸

For questions in relation to ‘brain drain’ please see section 1.

¹⁵⁶ Federal Ministry of European and International Affairs, December 2013.

¹⁵⁷ Austrian Development Cooperation, *Projektliste, Pan African Forum – Aktionsprogramm 2013*, available at [www.entwicklung.at/zahlen-daten-und-fakten/projektliste/?tx_sysfirecdlist_pi1\[showUId\]=755&cHash=16f1c6208933977fc794ae9c6d73fc7f](http://www.entwicklung.at/zahlen-daten-und-fakten/projektliste/?tx_sysfirecdlist_pi1[showUId]=755&cHash=16f1c6208933977fc794ae9c6d73fc7f) (accessed on 14 March 2014).

¹⁵⁸ Federal Ministry of European and International Affairs, December 2013.

7. PROVISION AND EXCHANGE OF INFORMATION TO SUPPORT POLICY DEVELOPMENT

Correspondence to the Commitments of the Stockholm Programme

This section pertains to the some part of the following section of the **Stockholm Programme**:

- Section 6.1.3 - A concerted policy in keeping with national labour-market requirements

Section 6.1.4 - Proactive policies for migrants and their rights

7.1 Exchange of Information at EU level

- a) Please describe any additional actions to provide and exchange information to support policy development at EU level. This might include for example, through networks such as the EMN, the Mutual Exchange Mechanism (MIM), EASO etc.

The provision and exchange of information to support policy development at EU level was facilitated by actively participating in the European Migration Network (EMN); for instance through developing studies, answering ad-hoc queries or organizing meetings and conferences.¹⁵⁹

7.2 Exchange of Information at Regional and National levels

- a) Please describe any additional actions to provide and exchange information to support policy development at regional and national levels. These might include specific actions with national contact points or rapporteurs, and the exchange of information within the 'regions' of Europe, for example, amongst the Baltic States.
- b) Please also describe any (planned) sharing and exchanging of information on migration with other (Member) States, through existing networks and other instruments (e.g. the European Migration Network, the Mutual Information Mechanism (MIM)).
- c) Please also describe the involvement of EU agencies

Nothing to report.

¹⁵⁹ For further information see www.emn.at/en/ (accessed on 10 April 2014).