



COUNTRY FACTSHEET: Austria 2015

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Austria during 2015, including latest statistics, response to the challenges posed by the initial reception and accommodation of asylum-seekers and other migration topics.

2. Common European Asylum System

In 2015 **Austrian law has been modified** to implement the provisions under the recast Procedures Directive (2013/32/EU) and the Reception Conditions Directive (2013/33/EU).

The high number of applications for asylum in 2015 led to a shortage of capacities within Austria's asylum and reception system. Regarding the reception system a **crisis board under the Federal Ministry of the Interior** was set up in May 2015, consisting of representatives of the Ministry of the Interior, the Ministry of Defence, the provinces, firefighters' associations and NGOs. A board to coordinate the acute migration situation was additionally set up under the Federal Ministry of the Interior on 17th August 2015, with the task of accommodating asylum-seekers quickly and effectively.

The **Federal Constitutional Act Concerning the Accommodation and Allocation of Foreigners in Need of Aid and Protection** entered into effect on 1st October 2015. Through the Act, the Federal State can establish accommodation facilities for foreigners in need of aid and protection through an extraordinary procedure even in municipalities that express opposition to such plans. Against this background, the selection of eight military facilities which could be used as short-term care facilities for asylum-seekers was disclosed on 22nd December 2015.

Further, the Federal Ministry of the Interior established seven other federal distribution centres in order to enable decisions on Austria's responsibility for an asylum application to be taken in the actual province where the application is filed. The Federal Ministry of the Interior signed a framework agreement with the World Food Programme on 10 November 2015, aimed at taking preventive measures in the face of the need to accommodate refugees during the winter. This ensures that large tents and folding containers with heating will be available in the event of an emergency.

To more efficiently collect identification material such as photos and fingerprints, **offices specialized in processing asylum cases were set up under the regional police directorates**. As of 20th July 2015 applications for asylum can no longer be filed with an initial reception centre but must be submitted to the police or security authorities. To manage the increase in asylum applications, the Federal Office for Immigration and Asylum recruited an additional 500 employees in 2015. On 16 March 2015 the regional directorate of the Federal Office for Immigration and Asylum in Vienna opened a new passport centre as a one-stop shop for issuing identity documents. The United Nations High Commissioner for Refugees (UNHCR) and the Association of Austrian Adult Education Centres launched a course to train interpreters for asylum procedures in late 2015.

Through a **resolution passed by the National Council** on 9 December 2015, some of the maximum amounts paid out for basic welfare support were increased. Under the Federal Basic Welfare Support Act 2005, basic welfare support can now also be reduced or withdrawn where the individual in question has with intent seriously threatened the life, health or freedom of another person within the care facility.

Finally, an **amendment to the Asylum Act was introduced in 2015**¹ which specifies that the status of a person granted asylum includes a right of entry and residence that would initially be for a limited period and later become permanent. The residence permit would be valid for three years and subsequently renewed for an indefinite period of validity if there are no conditions that require the initiation of a procedure to withdraw the asylum status.

3. Unaccompanied Minors and other Vulnerable Groups

The Act Amending the Aliens Law 2015 introduced changes for unaccompanied minors (UAMs) who apply for asylum:

- ★ Asylum-seeking UAMs aged 14 and over are required to be brought to the initial reception centre.
- ★ The legal representative is required to be present during every interview (not only at the initial reception centre).
- ★ Alternatives to detention are required for minors subject to pending removal between 14 and 18 years of age (not only up to age 16). The amendment was introduced to comply with the recast Reception Conditions Directive (2013/33/EU).
- ★ The maximum amounts paid out for basic welfare support were increased according to accommodation and care categories.

During 2015 further changes applying to other vulnerable groups were implemented:

- ★ Victims of violence are defined more clearly as per the recast Asylum Procedure Directive. Asylum-seekers who have suffered serious forms of emotional, physical or sexual violence are now also included under the special admission procedure.
- ★ In compliance with the recast Reception Conditions Directive transposed in 2015, special needs are now assessed upon admission. Family relationships, ethnic particularities and the special needs of vulnerable persons are now required to be taken into account when assigning individuals to care facilities.

¹ The new Act entered into effect on 1 June 2016. For further information see here (in German): www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2016_I_24/BGBLA_2016_I_24.pdf

4. European Policy on Legal migration and Integration

A. PROMOTING LEGAL MIGRATION CHANNELS

The website www.migration.gv.at, where information on immigration opportunities, especially for highly qualified workers is provided, continued to be regularly maintained and updated during 2015. The website is available in German and English.

B. ECONOMIC MIGRATION

The Act Amending the Aliens Law 2015 introduced students and researchers as two additional categories of persons who can apply for a residence permit within Austria.

With regard to list of shortage occupations for (highly) qualified workers, in Austria, third-country nationals in eight shortage occupations² are able to obtain a Red-White-Red Card for skilled workers in shortage occupations in 2016, based on amendments of the Regulation for Skilled Workers issued in late 2015.

A draft **Recognition Act**³ has been under discussion in late 2015 which aims at simplifying procedures for the recognition of occupational qualifications and education completed abroad.

In terms of **seasonal work**, the maximum number of work permits for temporarily employed foreigners and harvest workers for the year 2016 was set at up to 4,500 work permits for temporarily employed foreigners (i.e. seasonal workers) and up to 700 work permits for harvest workers.

Amendments to legislative provisions were introduced for international students after graduation. Notably, graduates from an Austrian university may obtain a written confirmation of the legality of their stay for a further six-month period for any category of the 'Red-White-Red Card'⁴, not only for the category of 'university graduates' as previously established.

² Milling machinists, metal turners, mechanical engineering technicians, roofers, mechanical engineers, high-voltage electrical technicians, high-voltage electrical engineers and nursing professionals who are in the process of having their professional qualifications recognized and have started the additional training required before the end of 2015.

³ The new Act entered into effect on 12 July 2016. For further information see here (in German): www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2016_I_55/BGBLA_2016_I_55.pdf

⁴ The 'Red-White-Red Card' includes five categories: very highly qualified workers, skilled workers in shortage occupations, other key workers, university graduates or self-employed key workers. For further information see: Migration.gv.at. 'Permanent immigration - Red-White-Red Card', <http://www.migration.gv.at/en/types-of-immigration/permanent-immigration-red-white-red-card.html>

C. FAMILY REUNIFICATION

The draft federal act to amend the Asylum Act 2005 specifically sets **additional requirements for family reunification** involving beneficiaries of subsidiary protection (see footnote 1).

D. INTEGRATION

In terms of a **rapid integration of refugees**, a '50-Point Plan' targeted specifically at integrating beneficiaries of asylum and subsidiary protection was presented in November 2015. In terms of education **several initiatives** were introduced in 2015:

- ★ 300 free workshops on de-radicalization, to be offered at schools;
- ★ EUR 25 million in additional funds for language learning courses to improve integration of children and young refugees and other late school-entrants;
- ★ Additional spaces in German courses especially to accommodate 7,300 persons granted asylum, mainly for recognized refugees from Syria and an additional 10,000 participants;
- ★ Adoption of the Integration Package in September 2015, making available EUR 75 million in funding to be used for integration purposes such as the language integration of refugees.

In terms of **integration to the labour market**, the Integration Package provides funds of EUR 70 million for measures aligned with labour market integration. Such a measure is the 'Competency Check programme', run by the Public Employment Service in Vienna since late August 2015 to identify the qualifications of refugees. A planned measure is the voluntary integration year in which persons granted asylum and beneficiaries of subsidiary protection may participate from the beginning in 2016. An '**Anti-discrimination and Anti-intolerance Hotline**' for individuals who are subject to discrimination due to ethnic group membership, origin or religion was established in January 2015.

The Federal Act on the External Legal Relationships of Islamic Religious Societies (**Islam Act 2015**) entered into effect in March 2015. The act stipulates, inter alia, that Islamic religious communities must be economically self-sustaining and that the funds for ongoing activities must be raised in Austria.

E. MANAGING MIGRATION AND MOBILITY⁵

The roll-out of the Visa Information System (VIS) to the consulates was completed in November 2015. Austria introduced **temporary border** controls in September 2015. As a result, border controls are possible at any time in response to the situation at all land and air border crossing points.

F. EXTERNAL DIMENSION OF EU MIGRATION POLICY

In 2015 the topic of migration and development became more prominent in the Austrian Development Cooperation. Notably, the three-Year-Programme on Austrian Development Policy for the years 2016 to 2018 which was released in December 2015 focuses for the first time on migration as one of the main topics.⁶

5. Irregular Migration and Return

Austria participated in several operations against members of **international smuggling networks** in 2015.

In terms of policy developments, a five-point plan was presented in July 2015 for targeted action to combat migrant smuggling, including: 1) inspections of all international trains arriving from Hungary; 2) more extensive controls in near-border regions; 3) increased staff for the Criminal Intelligence Service Austria; 4) stricter administrative penal provisions against migrant smugglers; and 5) the appointment of specialized public prosecutors.

In the course of drafting the Act Amending the Aliens Law 2015, it was established that voluntary return always has to be given priority over forced removal. Foreigners can receive return counselling at any point during procedures; the provision is no longer limited to asylum-seekers.

6. Actions against Trafficking in Human Beings

The [National Action Plan](#) to Combat Trafficking in Human Beings for the period 2015–2017 was adopted in April 2015.

In March 2015 Austria participated in an operation coordinated by Europol to identify instances of trafficking in human beings originating primarily in China, to seek out key players in international trafficking networks operating in Europe, and to verify patterns of criminal activity and potential structures of organized crime.

⁵ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

⁶ For further information see here (in German): www.entwicklung.at/fileadmin/user_upload/Dokumente/Publicationen/3_JP/2016-2018_Dreijahresprogramm.pdf

Other developments in 2015 include:

- ★ The Criminal Intelligence Service Austria published the status report on Human Trafficking 2014 in July 2015 including current statistics and information on activities of the Criminal Intelligence Service.
- ★ The Group of Experts on Action against Trafficking in Human Beings (GRETA) country report on Austria was published in October 2015.
- ★ Workshops have been held for labour inspectorate staff with the aim of raising awareness of human trafficking and to facilitate identification of victims.

- ★ The MEN-VIA contact point for male victims of human trafficking was evaluated highly positively and its funding was increased. In April 2015 MEN-VIA opened a partially supervised shelter for men.

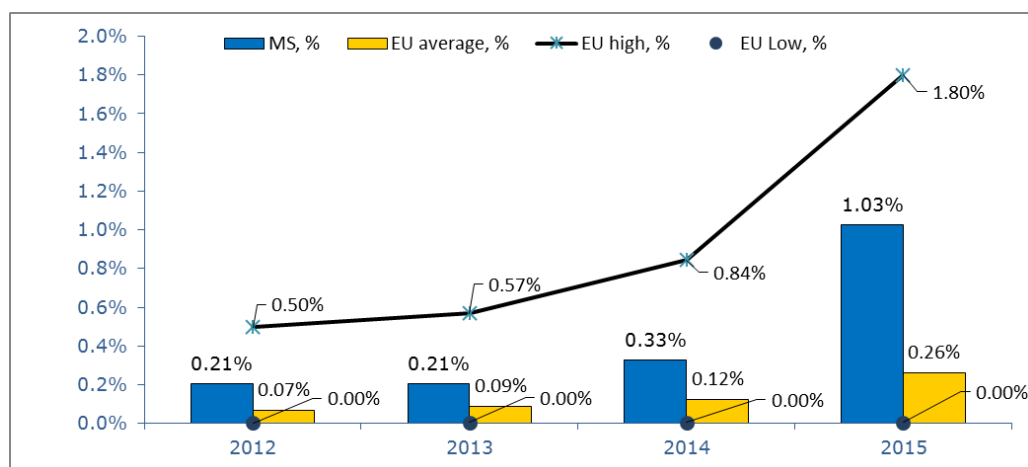
STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Austria on aspects of migration and asylum (2012-2015), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in Austria (2012-2015)

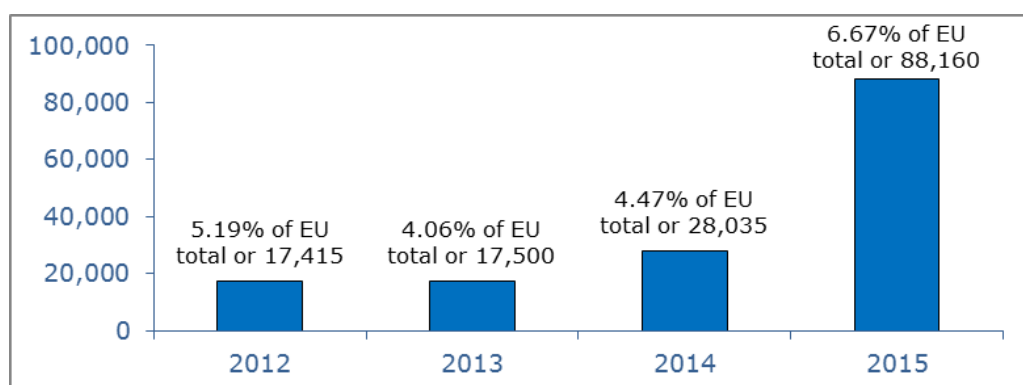
1. COMMON EUROPEAN ASYLUM SYSTEM

Figure 1: Asylum applications as a share of the total population in Austria, EU average and EU high and low (2012-2015)



Source: Eurostat migration statistics (migr_asyappctza), data extracted 04/07/2016

Figure 2: Number of asylum applications and as a share of the total number of applications in the EU (2012-2015)



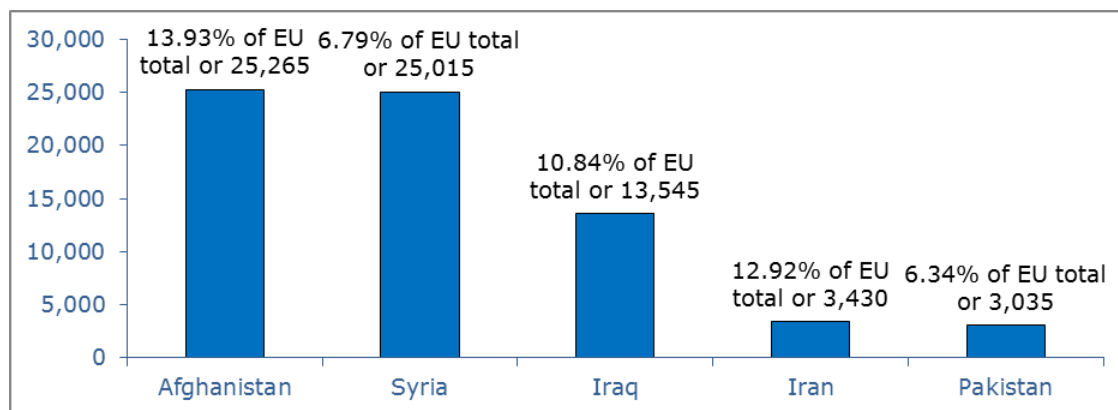
Source: Eurostat migration statistics (migr_asyappctza), data extracted 04/07/2016

Table 1: Asylum applications: Top five third-country nationalities (2012-2015)

2012			2013			2014			2015		
Nationality	Nr	% of total	Nationality	Nr	% of total	Nationality	Nr	% of total	Nationality	Nr	% of total
Afghanistan	4,015	23%	Russia	2,850	16%	Syria	7,730	28%	Afghanistan	25,265	29%
Russia	3,110	18%	Afghanistan	2,590	15%	Afghanistan	5,075	18%	Syria	25,015	28%
Pakistan	1,825	10%	Syria	2,005	11%	Russia	1,995	7%	Iraq	13,545	15%
Syria	930	5%	Pakistan	1,035	6%	Kosovo	1,905	7%	Iran	3,430	4%
Iran	765	4%	Algeria	945	5%	Stateless	1,135	4%	Pakistan	3,035	3%

Source: Eurostat migration statistics (migr_asyappctza), data extracted 04/07/2016

Figure 3: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2015)



Source: Eurostat migration statistics (migr_asyappctza), data extracted 04/07/2016

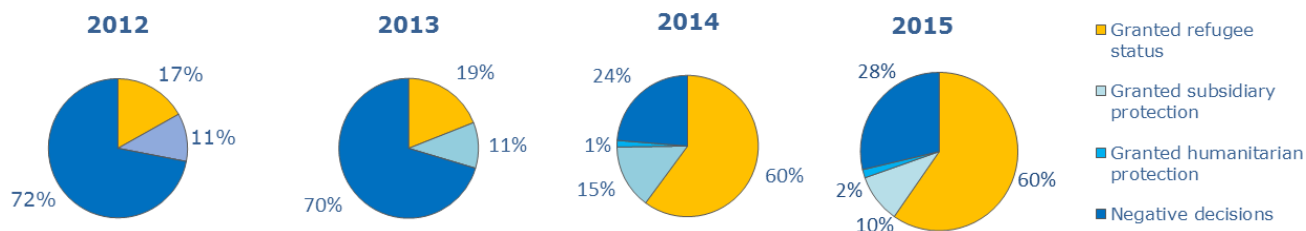
Note: the figure reads as: Austria received 25,265 asylum applications from Syrians or 13.93% of all asylum applications lodged by Syrians in EU in 2015

Table 2: Asylum applications - First instance decisions by outcome (2012-2015)

	Total decisions	Positive decisions	Of which:		Humanitarian reasons	Negative decisions
			Refugee status	Subsidiary protection		
2012	15,895	4,455	2,680	1,775	NA	11,435
2013	16,610	4,920	3,160	1,760	NA	11,690
2014	9,405	7,175	5,655	1,380	140	2,230
2015	21,095	15,045	12,590	2,100	355	6,050

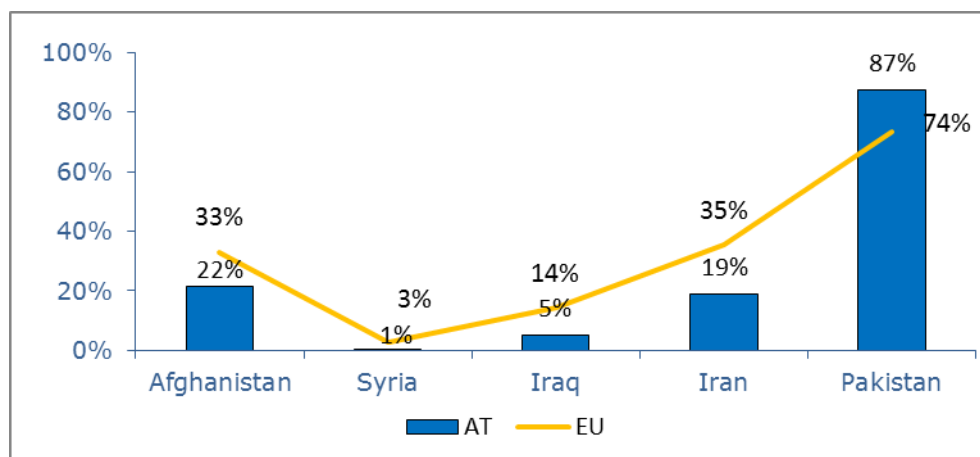
Source: Eurostat migration statistics (migr_asydcfsta), data extracted 04/07/2016

Figures 4-7: Asylum applications - First instance decisions by outcome (2012-2015)



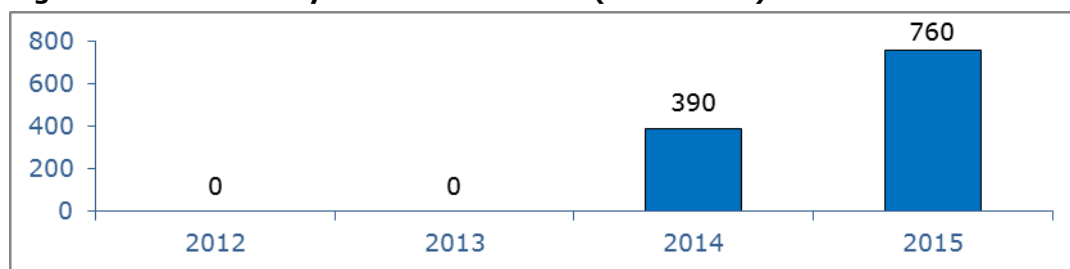
Source: Eurostat migration statistics (migr_asydcfsta), data extracted 04/07/2016

Figure 8: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2015)



Source: Eurostat migration statistics (migr_asydcfsta), data extracted 04/07/2016

Figure 9: Third-country nationals resettled (2012-2015)



Source: Eurostat migration statistics (migr_asyresa), data extracted 05/07/2016

2. UNACCOMPANIED MINORS

Figure 10: Unaccompanied minors applying for asylum (2012-2015)

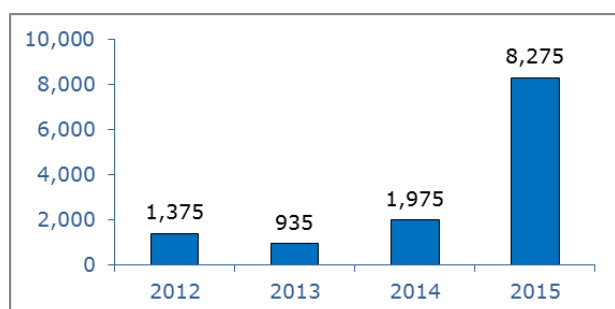


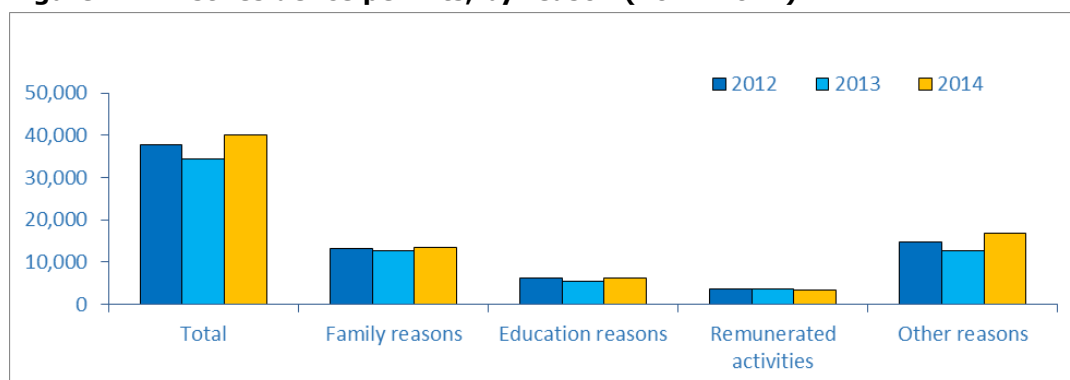
Table 3: Unaccompanied minors (2012-2015)

	2012	2013	2014	2015
Unaccompanied minors (total) ⁷	NA	NA	NA	NA
Unaccompanied minor asylum applicants	1,375	935	1,975	8,275

Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) (migr_asyunaa), data extracted 06/07/2016; EMN NCPs

3. EUROPEAN POLICY ON LEGAL MIGRATION AND INTEGRATION

Figure 11: First residence permits, by reason (2012-2014)



Source: Eurostat (migr_resfirst), data extracted 06/07/2016; EMN NCPs

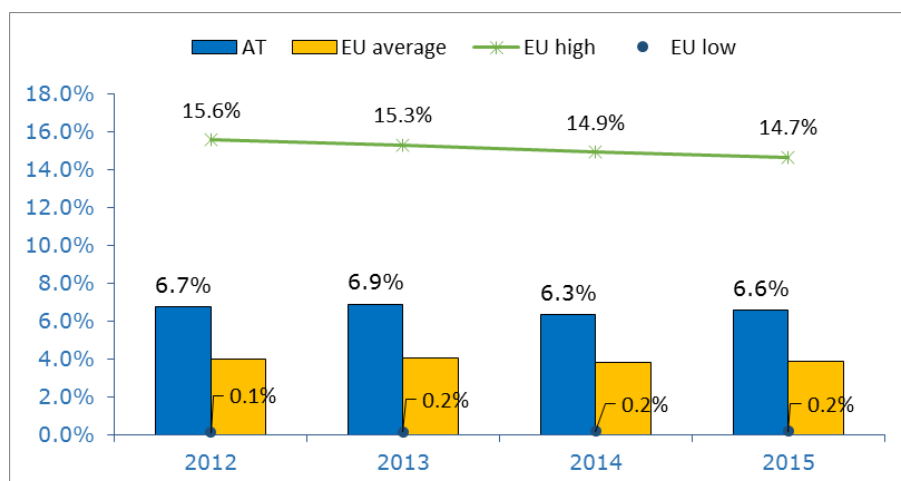
Table 4: First residence permits: Top five third-country nationalities (2012-2015)

2012		2013		2014		2015	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
Turkey	4,581	Serbia	4,120	Serbia	4,660	Syria	8,424
Serbia	4,205	Turkey	4,036	Bosnia and Herzegovina	4,057	Serbia	5,288
Bosnia and Herzegovina	3,077	Bosnia and Herzegovina	3,603	Syria	3,946	Bosnia and Herzegovina	4,520
Russia	2,953	Russia	2,443	Turkey	3,732	Turkey	3,961
Kosovo	2,198	Afghanistan	2,201	Afghanistan	3,312	Afghanistan	3,606

Source: Eurostat migration statistics (migr_resfirst), data extracted 06/07/2016

⁷ Austria only collects the number of unaccompanied minors who lodged an asylum application.

Figure 12: Resident population of third-country nationals as a share of total population in Austria, EU average, EU high and low (2012-2015)



Source: Eurostat migration statistics (migr_pop1ctz), data extracted 04/07/2016

4. IRREGULAR MIGRATION AND RETURN

Table 5: Number of third-country nationals refused entry at external borders (2012–2015)

Third country nationals:	2012	2013	2014	2015
Refused entry at external borders	245	360	455	560
Found to be illegally present	23,135	25,960	33,055	86,220
Ordered to leave	8,160	10,085	NA	9,910
Returned following an order to leave	4,695	6,790	2,480	5,275

Source: Eurostat migration statistics (migr_eirfs)(migr_eipre)(migr_eiord),(migr_eirtn) data extracted 04/07/2016

Table 6: Third-country nationals returned (2013)

	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2012	NA	NA	NA
2013	512	3,095	2,601
2014	NA	NA	NA
2015	NA	NA	NA

Source: EMN NCPs

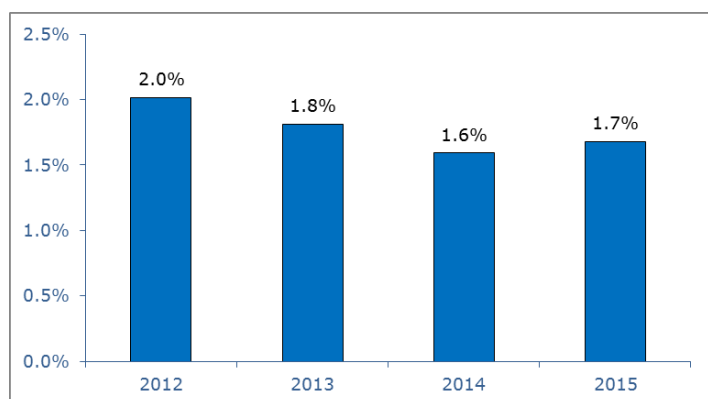
5. SECURING EUROPE'S EXTERNAL BORDERS

Table 7: Number of Schengen visas applications (2012–2015)

	2012	2013	2014	2015
Uniform visas (short-stay visas)	304,798	313,579	266,356	NA

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

Figure 13: Uniform visa applications received in MS as a share of the total number of uniform visa applications in all Schengen states consulates (2012-2015)



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

Table 8: Top five countries in which the highest number of visa applications for MS was lodged (2012-2015)

2012		2013		2014		2015	
Countries	Number	Countries	Number	Countries	Number	Countries	Number
Russia	124,044	Russia	118,422	Russia	82,170	Russia	45,020
Ukraine	32,754	China	31,320	China	27,406	China	36,705
China	32,386	Ukraine	30,633	Ukraine	22,510	Turkey	22,896
Turkey	13,350	Turkey	17,842	Turkey	17,989	Ukraine	19,583
India	13,138	India	14,518	India	15,062	India	19,368

Source: DG Migration and Home affairs

6. ASYLUM AND MIGRATION EU FUNDING SOURCES (2007-2013 AND 2014-2020)

Table 9: Asylum, Migration and Integration Fund (AMIF) allocation in euro per area

Areas	AMIF 2014-2020
Asylum	14,996,152
Legal Migration and Integration	26,393,227
Return	18,595,228
Technical Assistance	4,549,368
Special cases (resettlement/transfer)	6,000,000
TOTAL	70,533,977

Source: DG Migration and Home affairs

Table 10: Internal Security Fund (ISF) allocation in euro per area

Areas	ISF 2014-2020
ISF Borders	14,162,727
ISF SA Frontex	220,500
ISF SA Consular cooperation	-
ISF Borders Emergency Assistance	-
ISF Police	12,162,906
TOTAL	26,546,133

Source: DG Migration and Home affairs

Table 11: SOLID funds allocation in euro and share of total funds allocated to the MS (2007-2013)

SOLID FUNDS	2007	2008	2009	2010	2011	2012	2013	TOTAL
European Refugee Fund (ERF)	NA	4,665,377 (6.3%)	4,872,214 (4.9%)	4,902,065 (5.2%)	4,830,655 (4.9%)	4,543,176 (4.3%)	4,729,192 (4.1%)	28,542,681 (4.8%)
European Return Fund (RF)	NA	1,817,335 (3.3%)	1,747,596 (2.8%)	1,969,565 (2.4%)	2,251,762 (2%)	3,170,380 (2%)	3,818,929 (2%)	14,775,568 (2.3%)
European Fund for the Integration of TCN (EIF)	1,560,275 (2.4%)	1,596,630 (2%)	1,709,880 (1.7%)	1,735,725 (1.5%)	1,993,422 (1.5%)	2,571,833 (1.6%)	3,193,546 (1.7%)	14,361,311 (1.7%)
External Borders Fund (EBF)	1,916,873 (1.3%)	1,242,413 (0.9%)	1,286,042 (0.8%)	1,753,755 (0.9%)	2,243,530 (0.9%)	2,407,777 (0.75%)	3,025,545 (0.7%)	13,875,936 (0.9%)

Source: DG Migration and Home affairs

7. INSPECTIONS CARRIED OUT TO DETECT EMPLOYMENT OF IRREGULAR MIGRANTS

Table 12: Number of Inspections carried out to detect employment of irregular migrants and share of inspections as a percentage of the employers in sector (in %)

Risk sector	2014		2015	
	No.	%	No.	%
Agriculture, forestry and fishing	749	0.4%	663	2.77%
Mining and quarrying	NA	NA	31	n/a
Manufacturing	1,554	7.7%	1,380	8.52%
Electricity, gas, steam and air conditioning supply	NA	NA	22	n/a
Water supply; sewerage, waste management and remediation activities	NA	NA	77	n/a
Construction	9,543	42.8%	7,744	35.52%
Wholesale and retail trade; repair of motor vehicles and motorcycles	3,335	6.4%	3,015	11.78%
Transportation and storage	NA	NA	2,569	30.22%
Accommodation and food service activities	6,396	17.5%	5,474	23.90%
Information and communication	NA	NA	136	2.62%
Financial and insurance activities	NA	NA	73	2.21%
Real estate activities	NA	NA	491	14.88%
Professional, scientific and technical activities	NA	NA	635	3.02%
Administrative and support service activities	NA	NA	1,718	35.79%
Public administration and defence; compulsory social security	NA	NA	12	n/a
Education	NA	NA	91	n/a
Human health and social work activities	NA	NA	181	1.56%
Arts, entertainment and recreation	NA	NA	519	n/a
Other service activities	NA	NA	1,120	16.72%

Risk sector	2014		2015	
	No.	%	No.	%
Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use	NA	NA	4,154	n/a
Activities of extraterritorial organisations and bodies	NA	NA	2	n/a

Source: DG Migration and Home affairs

Table 13: Number of inspections in which irregular migrant workers were detected (I) and number of irregular migrant workers detected (IWD) – 2015

Risk sector	2014		2015	
	Number of inspections in which irregular migrant workers were detected	Number of irregular migrant workers detected	Number of inspections in which irregular migrant workers were detected	Number of irregular migrant workers detected
Agriculture, forestry and fishing	26	36	43	91
Manufacturing	80	179	119	505
Water supply; sewerage, waste management and remediation activities	NA	NA	2	2
Construction	685	1,571	537	1,019
Wholesale and retail trade; repair of motor vehicles and motorcycles	208	253	262	321
Transportation and storage	NA	NA	165	232
Accommodation and food service activities	977	1,247	1,006	1,185
Information and communication	NA	NA	18	20
Financial and insurance activities	NA	NA	13	13
Real estate activities	NA	NA	48	74
Professional, scientific and technical activities	NA	NA	79	100
Administrative and support service activities	NA	NA	216	422
Education	NA	NA	21	27
Human health and social work activities	NA	NA	23	25
Arts, entertainment and recreation	NA	NA	74	137
Other service activities	NA	NA	116	222
Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use	NA	NA	194	275

Source: DG Migration and Home affairs