

ANNUAL REPORT 2021 ON MIGRATION AND ASYLUM IN AUSTRIA

Contribution to the Commission and EUAA Annual Reports

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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 legislative and political developments in the field of migration and asylum in Austria in 2021. The report provides input to the EMN's Annual Report on Migration and Asylum 2021 and the EMN Report on Children in Migration 2021. In addition, the information feeds into the European Union Asylum Agency's (EUAA) annual report on the asylum situation in the European Union (EU) and the EUAA Information and Documentation System (IDS).

The format of this report is based on a common template designed by the EMN to collect comparable information on a set of specific topics.

This report draws upon official sources such as press releases and written inputs from relevant ministries and authorities. It was produced by the NCP Austria in the EMN in cooperation with the Federal Chancellery, the Federal Office for Immigration and Asylum, the Federal Ministry of Labor, the Federal Ministry of Social Affairs, Health, Care and Consumer Protection and the Federal Ministry of the Interior.

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SUMMARY OF CHANGES TO THE NATIONAL MIGRATION / ASYLUM SYSTEM IN 2021 – TO SERVE AS THE 2021 EMN COUNTRY FACTSHEET

KEY POINTS

1. The COVID-19 pandemic resulted in (temporary) measures being introduced in 2021 in the areas of aliens law, social and educational support, labour market integration, health information, border controls, removals from the country and on-site assistance in order to mitigate the negative impact of the pandemic as far as possible.
2. Since 1 January 2021, the newly established Federal Agency for Reception and Support Services company with limited liability has also been responsible for the service areas of legal advice, return counselling and return assistance, human rights monitoring, and interpreting and translation services.
3. Various legislative amendments relating to labour migration were implemented in 2021. These are aimed at ensuring that the demand for skilled workers can be met, increasing the attractiveness of Austria as a business location, and preventing social dumping and labour exploitation.

Overarching changes to the national migration and asylum system in 2021

As a result of the COVID-19 pandemic, [special provisions relating to the execution of aliens law](#) were extended to 30 June 2022, largely in order to reduce social contact. In addition, the newly established [Federal Agency for Reception and Support Services company with limited liability](#) has, since 1 January 2021, also been responsible for the service areas of legal advice, return counselling and return assistance, including the provision of human rights observers, interpreters and translators.

Legal Migration to the EU Member States, Norway, Georgia and the Republic of Moldova

OVERARCHING LEGAL OR POLICY CHANGES IN LEGAL MIGRATION

The entry into force of the Withdrawal Agreement between the United Kingdom of Great Britain and Northern Ireland and the EU has resulted in [changes](#) for Austrian employers, British employees, students and their family members since 1 January 2021.

WORK-RELATED MIGRATION

In the area of labour migration, measures in 2021 were aimed in particular at increasing the attractiveness of Austria as a business location and ensuring that its demand for skilled workers can be met. Due to a [legislative amendment](#), foreign employees of (quasi-)international organizations and international non-governmental organizations who enjoy privileges and immunities are now generally exempt from the scope of the Act Governing the Employment of Foreign Nationals for this employment. Moreover, the [Regulation for Skilled Workers](#) and the [quota regulation on the temporary employment](#) of foreign nationals in tourism and in agriculture and forestry were enacted for 2022. Finally, amendments to the Act Governing the Employment of Foreign Nationals and the Settlement and Residence Act resulted in the adoption of a [new Registered Seasonal Worker Regulation](#), which makes it easier for seasonal workers to obtain work permits if certain criteria are met. In addition, it was announced that there would no longer be a maximum number for seasonal workers and harvest workers as of the [Settlement Regulation 2022](#). The prevention of social dumping¹ and labour exploitation was also driven forward in 2021. For instance, the transposition of the EU Posting of Workers Directive [into national law](#) creates new protection standards for foreign workers.

International Protection in the EU Member States, Norway, Georgia and the Republic of Moldova

LEGISLATIVE AND POLICY DEVELOPMENTS RELATED TO INTERNATIONAL PROTECTION

Since 1 January 2021, the [Federal Agency for Reception and Support Services company with limited liability has been responsible for providing legal advice](#) at the Federal Office for Immigration and Asylum and before the Federal Administrative Court, including the provision of human rights observers, interpreters and translators. In addition, the Constitutional Court issued a ruling in 2021 revoking two decrees that [restricted the employment of asylum seekers](#) on the grounds that these decrees were unlawful as they had not been properly promulgated.

¹ While there is no definition of the concept of "social dumping" in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The EMN Glossary (Version 7.0) defines social dumping as "The practice whereby workers are given pay and / or working and living conditions which are sub-standard compared to those specified by law or collective agreements in the relevant labour market, or otherwise prevalent there." See: <https://ec.europa.eu>.

Minors and Other Vulnerable Groups

MINORS

Between February and June 2021, a [Commission on the Best Interests of the Child](#) examined the legal framework and its practical implementation for children in asylum and right-to-remain procedures. Building on this, [recommendations on procedural guarantees for minors](#) were made. Parliament also called on the Federal Government to [further improve the protection and legal status of children](#). Key points include, in particular, safeguarding quick guardianship for unaccompanied minor refugees and paying special attention to the best interests of the child in asylum procedures.

Integration and inclusion of adults

NATIONAL INTEGRATION STRATEGY

In the area of integration, there was a focus in 2021 on measures to mitigate the negative impact of the COVID-19 pandemic. [Integration priorities](#) also included: (1) the labour market, transmission of values and German-language skills, (2) promoting women's equality, (3) a focus on interaction and volunteer work, and (4) [preventing parallel societies and extremism](#).

INVOLVEMENT OF MULTI-STAKEHOLDERS INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

In order to implement the integration objectives, cooperation with various stakeholders was strengthened in 2021. First, volunteer-based integration initiatives that help to [strengthen integration in municipalities and regions](#) were funded by the Austrian Integration Fund. Second, support was provided for cooperation against extremism and segregation, such as the work undertaken by the [Vienna Forum](#).

EDUCATION AND TRAINING OF ADULTS / LABOUR MARKET AND SKILLS

Since 2021, all German courses have been [organized in a standardized way and assigned centrally by the Austrian Integration Fund](#). The range of German courses was expanded in 2021 to include specialized language courses in the [restaurant and catering, hotel, tourism](#) and [grocery](#) sectors. In addition, the compulsory [orientation and values courses](#) were extended to three days from 1 January 2022.

BASIC SERVICES

The [COVID-19 vaccination](#) is available free of charge to everyone living in Austria. Moreover, [specific services](#) for persons granted asylum, beneficiaries of subsidiary protection status and migrants were initiated in 2021. These include the provision of interpreters to assist doctors in their consultations with patients receiving the vaccination. The amount of multilingual information on COVID-19 was also increased. In addition, funding was provided in 2021 for projects that focus on [mitigating the negative impact of the COVID-19 pandemic](#) for persons at risk of poverty or social exclusion and on [preventing and protecting against violence](#).

FIGHTING RACISM AND DISCRIMINATION

Since 1 November 2020, prejudicial motives have been comprehensively recorded in the [prosecution of hate crimes](#). These are prejudices against a certain group in society that provided the motivation for the crime. In 2021, [training courses and events](#) were held to improve the recording of hate crime by the police.

Citizenship and Statelessness

ACQUISITION OF CITIZENSHIP

Since 28 July 2021, individuals legally sentenced for terrorism are at risk of being [deprived of their Austrian citizenship](#) provided they still have another citizenship.

Borders, Visas and Schengen

BORDER MANAGEMENT

In 2021, EU border management regulations were [implemented in national law](#) with the aim of improving interoperability. This involves the implementation of the common electronic Entry/Exit System (EES) and the expansion of the Schengen Information System (SIS).

SCHENGEN GOVERNANCE

The [border controls](#) at the Austrian borders with Slovenia and Hungary were continued in 2021 due to the migration situation. In addition, temporary border controls with [Slovakia and Czechia](#) were introduced in Austria in spring 2021 in the context of the COVID-19 pandemic.

Irregular Migration including migrant smuggling

PREVENTING AND TACKLING IRREGULAR MIGRATION IN LEGAL MIGRATION CHANNELS

The [Passport Act Amendment 2021](#), which takes account of new international standards and simplifies the verification of documents, came into force on 2 August 2021. In accordance with the [EU directive](#), this also applies to identity cards and residence documents of EU citizens and their family members.

PREVENTING FACILITATION OF IRREGULAR MIGRATION (“SMUGGLING”) AND PREVENTING IRREGULAR STAY

In 2021, Austria expanded the [use of drones in border areas](#) in order to [organize personnel deployment more efficiently](#). The Federal Ministry of the Interior launched an [online campaign](#) about the risks and dangers of irregular migration, which was rolled out successively in a number of countries of origin and transit. Other preventive measures to tackle irregular migration included information campaigns in Pakistan and countries in the Western Balkan region as well as [multilingual safety information](#) for lorry drivers. In terms of cooperation with third countries, the Western Balkan region was a central focus in 2021. One example of this is the [Joint Coordination Platform](#) in Vienna, which began operating on 1 January 2021. The [platform is designed to improve migration management](#) and focuses on operational cooperation in areas such as border management, expulsions and the fight against the smuggling of migrants in the Western Balkan region.

Trafficking in adult human beings

NATIONAL STRATEGIC POLICY DEVELOPMENTS

The [National Action Plan on Combating Human Trafficking 2021-2023](#) was published in June 2021. The key elements are: (1) strengthening of (inter)national cooperation, (2) prevention through the provision of information and awareness-raising, (3) victim protection and prosecution of perpetrators, and (4) monitoring and research measures. In the context of the COVID-19 pandemic, there was also a focus on [labour exploitation](#) and the increased vulnerability of certain occupational groups.

IDENTIFICATION AND INFORMATION PROVISION TO VICTIMS OF TRAFFICKING IN HUMAN BEINGS

In 2021, the focus in Austria [in the area of prevention](#) was on providing information to and raising awareness among (potential) trafficked persons as well as on raising awareness among certain occupational groups that could come into contact with them.

Return and Readmission

MAIN NATIONAL DEVELOPMENTS IN THE FIELD OF RETURN

The Federal Agency for Reception and Support Services company with limited liability has been responsible for [return counselling and return assistance](#) since 1 January 2021. The tasks include: (1) clarification during return counselling of the individual's prospects, in particular with regard to the option of voluntary return and the support services available within this context; and (2) in the event of a decision to return voluntarily, return assistance, which is understood to refer to the measures and necessary organizational steps in the course of a voluntary return. As of 1 January 2021, the [compulsory return counselling sessions](#) are only to be provided once the return decision against the asylum seeker or lawfully resident third-country national is final or enforceable/practicable. [Exceptions](#) apply to cases such as unlawfully resident third-country nationals and accelerated procedures. Compulsory return counselling is designed in particular to encourage voluntary return in order to avoid the obligation to leave the country being enforced by the authorities. In addition, the Constitutional Court issued a ruling in September 2021 that recognizes [the issuing of a return decision and removal to Afghanistan](#) following the Taliban takeover of the country as a violation of constitutionally guaranteed rights (Art. 2 and 3 European Convention on Human Rights).

Migration and Development Cooperation

NATIONAL ACTIONS

In 2021, Austria continued to support the local population, refugees, internally displaced persons and their host communities in countries of origin or transit with [bilateral humanitarian aid](#) from the Foreign Disaster Fund. Parliament also called on the Austrian Federal Government to fund projects that promote [women's rights and the prevention of violence](#) in order, for example, to tackle trafficking in women. In addition, the Federal Government was asked to step up local assistance, international coordination and other efforts in [Afghanistan](#).

0 OVERARCHING CHANGES TO NATIONAL MIGRATION AND ASYLUM SYSTEM IN 2021 IN THE EU MEMBER STATES, NORWAY, GEORGIA AND REPUBLIC OF MOLDOVA

Please indicate whether there have been **overarching changes** in the national migration and asylum system that have taken place in 2021. These are likely to result from a change of government or an overarching policy change that affects the overall approach to policymaking which in turn accounts for changes reported in the specific policy areas. This could entail digitalisation strategies across more than one area of processing; developments to improve preparedness; policy decisions for institutional restructuring; a new migration law covering both asylum and migration etc.

For each development, please:

- ✓ **Briefly describe the development: what changed?**
- ✓ **Describe the objectives² and the drivers³ of the legislative or policy development.**
- ✓ **Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).**
- ✓ **Please include one development per row and add additional rows as required.**
- ✓ **List developments in order of importance. If several developments are deemed equally important, please use a chronological order.**

1. Were there any overarching <u>legal or policy</u> developments in the national migration and asylum system in 2021? Y/N.	
Development including objective and driver	Major development
<p>Development: The newly established Federal Agency for Reception and Support Services company with limited liability has, since 1 January 2021, also been responsible for the service areas of legal advice, return counselling and return assistance, including the provision of human rights observers, interpreters and translators (see 2.1.5 and 9.2.1).</p> <p>Objective: The key objective in relation to the launch of the Federal Agency for Reception and Support Services company with limited liability is to be able to guarantee the assurance and quality of all assigned areas of responsibility at the highest level in the interests of the individuals who are cared for, advised and represented (EMN Austria, 2021:10).</p> <p>Driver: In 2017, the Government Programme stipulated the creation of a new federal agency, owned by the Federal Government, to take on tasks in the area of asylum and aliens law, which until then had mainly been performed by external service providers for the Federal Government.⁴ The Federal Agency for Reception and Support Services company with limited liability was established in 2019.⁵ Since 1 December 2020, the federal agency has – as an outsourced organization of the Federal Government – been responsible for administrating material reception conditions to applicants of international protection under federal care. It has been fully operational since 1 January 2021.</p>	<p><input checked="" type="checkbox"/> Major <i>The establishment and launch of the Federal Agency for Reception and Support Services company with limited liability had a high political priority and was debated extensively at national level. In addition, the launch of the federal agency necessitated organizational restructuring.</i></p>
<p>Development: In the context of the COVID-19 pandemic, existing special legal provisions in the area of aliens law were extended several times in 2021 and currently apply until 30 June or 30 September 2022.⁶ Specifically, this relates to the option of extending: (1) the written submission of the pledge of allegiance when Austrian citizenship is awarded, and (2) the waiver of the</p>	<p><input checked="" type="checkbox"/> Major <i>The extension of the special provisions</i></p>

² Objective of the development: what is this legal/policy change/development intended to achieve?

³ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

⁴ Government Proposal - Explanatory Notes: Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, 594 of the supporting documentation XXVI. Legislative Term. Available at www.parlament.gv.at.

⁵ Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, FLG I No. 53/2019.

⁶ Federal Act Amending the Citizenship Act 1985, the Settlement and Residence Act, the Federal Office for Immigration and Asylum Procedures Act and the Asylum Act 2005, FLG I No. 110/2021.

1. Were there any overarching legal or policy developments in the national migration and asylum system in 2021? Y/N.

Development including objective and driver	Major development
<p>obligation to provide information when holders of the “Permanent Residence – EU” residence permit are absent for a period of longer than 12 months. The following are also to be extended: (3) the option to submit settlement applications and asylum extension applications by post or electronically, and (4) the accommodation of unaccompanied minors seeking asylum in Regional Directorates and their branch offices in the event of closures of initial reception centres (Parliamentary Administration, 2021d). The amendments relate to the Citizenship Act 1985,⁷ the Settlement and Residence Act,⁸ the Federal Office for Immigration and Asylum Procedures Act⁹ and the Asylum Act 2005.¹⁰</p> <p>Objective: As a result of the COVID-19 pandemic, special provisions relating to the execution of aliens law were issued in April 2020, largely in order to reduce social contact.</p> <p>Driver: The reason for the extensions was that the pandemic situation showed no signs of easing by 30 June or 31 December 2021. The primary aim of the special provisions was to prevent unnecessary gatherings such as queues (Parliamentary Administration, 2021l).</p>	<p><i>affects a large number of applicants.</i></p>

⁷ Citizenship Act 1985, FLG No. 311/1985 in the version of federal law FLG I No. 206/2021.

⁸ Settlement and Residence Act, FLG I No. 100/2005 in the version of federal law FLG I No. 206/2021.

⁹ Federal Office for Immigration and Asylum Procedures Act, FLG I No. 87/2012 in the version of federal law FLG I No. 206/2021.

¹⁰ Asylum Act 2005, FLG I No. 100/2005 in the version of federal law FLG I No. 110/2021.

1 LEGAL MIGRATION TO THE EU MEMBER STATES, NORWAY, GEORGIA AND REPUBLIC OF MOLDOVA

Please indicate (Yes/No) whether there have been any **new legal or policy developments in 2021** relating to any of the questions in Section 1 indicated below.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**¹¹ and the **drivers**¹² of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

1.1 OVERARCHING STRATEGIC LEGAL OR POLICY CHANGES IN LEGAL MIGRATION

2. Were there any overarching legal or policy developments in relation to legal migration in 2021? Y/N.	
Development including objective and driver	Major development
<p>Development: The rules surrounding the Withdrawal Agreement between the United Kingdom of Great Britain and Northern Ireland and the EU came into force on 1 January 2021. This has resulted in changes for Austrian employers, British employees, students and their family members. British nationals who entered the country before 31 December 2020 with the intention of working on an employed or self-employed basis, looking for work or studying in Austria were able to obtain special status under the Withdrawal Agreement until 31 December 2021. In this case, it was possible to apply for an "Article 50 TEU" residence permit in 2021. This permit entitles the holder to settle in the country and to undertake paid employment and self-employed economic activities.¹³ British nationals who came to Austria after 31 December 2020 and who had not lived here previously cannot obtain this special status and must apply for a residence permit such as the Red-White-Red Card (RWR Card) (Federal Chancellery, n.d.; Mol, 2020a).¹⁴</p> <p>Objective: The Brexit Implementing Regulation¹⁵ was promulgated on 23 December 2020 in order to implement the agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the EU and the changes in residence law effective from 1 January 2021. This regulation specifies the provisions of the directly applicable Withdrawal Agreement, in particular on procedural law for the residence of British nationals and their family members in Austria after 31 December 2020 (EMN Austria, 2021:19).</p> <p>Driver: The United Kingdom left the European Union on 31 December 2020 (Federal Chancellery, n.d.).</p>	<input type="checkbox"/> Major
<p>Development: For extensions of the special provisions in the Settlement and Residence Act in the context of the COVID-19 pandemic, see Q.</p>	<input type="checkbox"/> Major

¹¹ Objective of the development: what is this legal/policy change/development intended to achieve?

¹² Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹³ Written input: Federal Ministry of Labour, 25 January 2022.

¹⁴ Written input: Federal Ministry of the Interior, Department V/2 (Residence and Citizenship) and Unit III/1/c (Alien-related Legislation), 21 January 2022.

¹⁵ Brexit Implementing Regulation, FLG II No. 604/2020.

1.2 WORK-RELATED MIGRATION

Admission policies for specific categories of third-country nationals

Please describe any **new** concrete developments regarding admission affecting all migrant workers, and for the following categories of third-country workers.

1.2.1 CATEGORIES OF WORKERS

3. Were there any <u>new legal or policy</u> developments in relation migrant workers, including the following categories of workers in 2021? Y/N.	
Development including objective and driver	Major development
a) Overarching developments affecting all migrant workers	
<p>Development: The Settlement Regulation 2021 came into force in February 2021.¹⁶ This regulation governs the total number of residence permits in Austria that are subject to quota requirements (6,020) and their breakdown by residence permit and province. In addition, it defines the maximum numbers of residence and work permits for temporarily employed foreign nationals (4,400) and foreign harvest workers (200) for 2021. The Settlement Regulation 2022 was promulgated on 20 December 2021.¹⁷ As in 2021, a total of up to 6,020 residence permits that are subject to quota requirements may again be issued in 2022 under the Settlement Regulation. A maximum number for seasonal workers and harvest workers is no longer defined in the Settlement Regulation for 2022.</p> <p>Objective: The aim is to ensure the development of an orderly labour market and to allocate residence permits to the provinces according to their capabilities and needs (Art. 13 para 1 Settlement and Residence Act).</p> <p>Driver: The background to this is Article 13 of the Settlement and Residence Act,¹⁸ according to which the Federal Government is to define by regulation for each calendar year the number of temporary residence permits and the maximum number of work permits for foreign nationals in temporary employment. As a result of the amendment to the Act Governing the Employment of Foreign Nationals¹⁹ and the Settlement and Residence Act (see 1.2.1.d), the previous maximum number of seasonal permits no longer applies as of 2022 (Parliamentary Administration, 2021k). However, the Federal Minister for Labour may continue to define quotas for seasonal permits in tourism and in agriculture and forestry by regulation.²⁰</p>	<input type="checkbox"/> Major
b) Highly qualified workers	
<p>Development: A federal law to strengthen Austria's role as a venue for international headquarters and conferences (Host State Act) was adopted on 25 March 2021.²¹ In this connection, foreign employees of international non-governmental organizations (Art. 15 Host State Act) who enjoy privileges and immunities have been exempted from the scope of the Act Governing the Employment of Foreign Nationals for this employment (Art. 1 para 2 (c) Act Governing the Employment of Foreign Nationals). The exemption clause also covers employees of international organizations (Art. 12 Host State Act) and their staff as well as employees of quasi-international organizations (Art. 16 Host State Act).²²</p> <p>Objective: The driver behind this act is the decision in the Government Programme 2020–2024 to actively promote Austria, and specifically Vienna, as a seat of international</p>	<input type="checkbox"/> Major

¹⁶ Settlement Regulation 2021, FLG II No. 96/2021.

¹⁷ Settlement Regulation 2022, FLG II No. 567/2021.

¹⁸ Settlement and Residence Act, FLG I No. 100/2005 in the version of federal law FLG I No. 110/2021.

¹⁹ Act Governing the Employment of Foreign Nationals, FLG No. 218/1975 in the version of federal law FLG I No. 54/2021.

²⁰ Written input: Federal Ministry of Labour, 25 January 2022.

²¹ Host State Act, FLG I No. 54/2021.

²² Written input: Federal Ministry of Labour, 25 January 2022.

organizations and a venue for international conferences and negotiations (Austrian Federal Government, 2020:132). ²³ Driver: See objective.	
Development: In cooperation with the Vienna Business Agency and Public Employment Service Vienna, the City of Vienna opened a Business Immigration Office in October 2021. This is a service centre for qualified key and skilled workers from abroad (Stadt Wien, 2021c, 2021d; Vienna Business Agency, 2021). Objective: The Business Immigration Office is designed to relieve some of the pressure on Municipal Department 35 of the City of Vienna (Immigration and Citizenship) and strengthen Vienna as a business location. The aim is to bring together all processes at a central site so that residence procedures can be handled in a faster and more straightforward way in the future (Stadt Wien, 2021c, 2021d; Vienna Business Agency, 2021). Driver: The reason was an increase in complaints to the Austrian Ombudsman Board in 2021 relating to settlement issues, especially the duration of procedures. In addition to the Business Immigration Office, planned steps include an increase in staff, a service call centre and a digitalization offensive (Austrian Ombudsman Board, 2021).	<input type="checkbox"/> Major
c) Low and medium skilled workers (other than seasonal workers)	
Development: For developments relating to quota regulations for temporarily employed foreign nationals and foreign harvest workers, see 1.2.1.a).	<input type="checkbox"/> Major
d) Seasonal workers	
Development: The regulation on the temporary employment of foreign nationals in tourism and in agriculture and forestry (Seasonal Quota Regulation) ²⁴ for 2021 came into force on 1 January 2021. This regulation was amended in April 2021, with a quota for agriculture and forestry being increased for Lower Austria. In addition, the amount by which the quota may be temporarily exceeded during seasonal peak periods in agriculture and forestry was increased from a maximum of 30 per cent to a maximum of 50 per cent provided that the quotas are observed on an annual average. ^{25,26} Another amendment in November 2021 allowed certain quotas to be exceeded in December 2021 provided that the quotas are observed on an annual average. ^{27,28} The Seasonal Quota Regulation 2022 was promulgated on 22 December 2021. ²⁹ Objective: The aim of the regulation is to meet the additional need for seasonal workers for the calendar year. Driver: The background is Article 5 of the Act Governing the Employment of Foreign Nationals. ³⁰ According to this, the Federal Minister for Labour may admit foreign seasonal workers in a specific industry, occupational group or region on a temporary or short-term basis (Art. 5 para 1 subpara 1 and 2 Act Governing the Employment of Foreign Nationals). The prerequisite is a temporary additional need for workers that cannot be met by the workforce in Austria or by citizens of the European Economic Area or Switzerland or by registered seasonal workers (Humer and Spiegelfeld, 2020).	<input type="checkbox"/> Major
Development: An amendment to the Act Governing the Employment of Foreign Nationals and the Settlement and Residence Act was promulgated on 30 December 2021. ³¹ The legislative	<input checked="" type="checkbox"/> Major

²³ Government Proposal - Explanatory Notes: Amtssitzgesetz - ASG, 609 of the supporting documentation XXVII. Legislative Term. Available at www.parlament.gv.at.

²⁴ Seasonal Quota Regulation 2021, FLG II No. 601/2020.

²⁵ Amendment to the Regulation on temporary employment of foreign nationals in tourism and in agriculture and forestry in 2021, FLG II No. 180/2021.

²⁶ Written input: Federal Ministry of Labour, 25 January 2022.

²⁷ Amendment to the Regulation on temporary employment of foreign nationals in tourism and in agriculture and forestry in 2021, FLG II No. 472/2021.

²⁸ Written input: Federal Ministry of Labour, 25 January 2022.

²⁹ Seasonal Quota Regulation 2022, FLG II No. 569/2021.

³⁰ Act Governing the Employment of Foreign Nationals, FLG No. 218/1975 in the version of federal law FLG I No. 54/2021.

³¹ Federal Act Amending the Act Governing the Employment of Foreign Nationals and the Settlement and Residence Act, FLG I No. 217/2021.

<p>amendment came into force on 1 January 2022 and includes a new registered seasonal worker regulation: seasonal workers will in future be able to obtain work permits outside quotas and without a labour market test if they meet certain criteria. The seasonal workers must have been employed in Austria under quotas for at least three months in each of at least three calendar years in the same industry (tourism/agriculture/forestry) between 2017 and 2021. They must also register by December 2022. Subsequently, they can obtain work permits in the industry every year as registered seasonal workers without a labour market test and quota place (Federal Ministry of Agriculture, Regions and Tourism, 2021a). In addition, maximum numbers for seasonal and harvest workers will in future no longer be defined in the Settlement Regulation (see 1.2.1.a). However, the Federal Minister for Labour may continue to issue seasonal quota regulations.³²</p> <p>Objective: The aim of the amendment is to simplify the requirements for the temporary employment of seasonal and harvest workers from third countries and to better adapt these requirements to labour supply needs.³³</p> <p>Driver: The reason for the registered seasonal worker regulation is the fact that many businesses have been employing the same seasonal workers for many years. However, restricting the employment of third-country nationals and the labour market test often led to planning uncertainties. Moreover, businesses were increasingly faced with a shortage of labour due to the COVID-19 pandemic (Federal Ministry of Agriculture, Regions and Tourism, 2021a). With regard to the abolition of the annual fixing of a maximum number for temporarily employed foreign seasonal and harvest workers in the Settlement Regulation, it is noted in the government proposal that this did not have a noticeable control effect on labour market policy in the past and hindered needs-based admission.³⁴</p>	<p><i>The legal development affects many seasonal workers and businesses.</i></p>
<p>Development: In a motion for a resolution on 16 December 2021, the Federal Minister for Labour was asked to examine regulations that enable key workers in seasonal work to access the RWR Card.³⁵</p> <p>Objective: The objective is to create year-round prospects for long-term seasonal workers through the RWR Card.³⁶ The RWR Card proves that skilled workers from third countries are entitled to settle on a temporary basis and to work for a particular employer (migration.gv.at, n.d.).</p> <p>Driver: The background for the development in seasonal work is the high demand for labour and the fact that many businesses have switched to year-round operation (Parliamentary Administration, 2021j). The current provisions only allow limited access for seasonal workers in the case of year-round operation and are not always sufficiently attractive for qualified staff.³⁷</p>	<p><input type="checkbox"/> Major</p>
<p>e) Entrepreneurs, start-ups and investors</p>	
<p>Development: No significant changes in 2021.</p>	<p><input type="checkbox"/> Major</p>
<p>f) Intra-corporate transferees</p>	
<p>Development: No significant changes in 2021.</p>	<p><input type="checkbox"/> Major</p>
<p>g) Trainees, au pairs and volunteers</p>	
<p>Development: No significant changes in 2021.</p>	<p><input type="checkbox"/> Major</p>

³² Written input: Federal Ministry of Labour, 25 January 2022.

³³ Government Proposal - Explanatory Notes: Federal Act Amending the Act Governing the Employment of Foreign Nationals and the Settlement and Residence Act, 1162 of the supporting documentation XXVII. Legislative Term. Available at www.parlament.gv.at.

³⁴ Ibid.

³⁵ Resolution of the National Council on 16 December 2021 on "All-year perspective for seasonal workers through the Red-White-Red-Card" (230/E XXVII. Legislative Term). Available at www.parlament.gv.at.

³⁶ Ibid.

³⁷ Report of the Committee for Labour and Social Affairs on the motion by the Members of Parliament Franz Hörli, Barbara Neßler and colleagues regarding "All-year perspective for seasonal workers through the Red-White-Red-Card", 1233 of the supporting documentation to the stenographic protocols of the National Council XXVII. Legislative Term. Available at www.parlament.gv.at.

h) Other remunerated workers	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.2.2 SATISFYING LABOUR MARKET NEEDS

4. Were there any <u>new legal or policy</u> developments to satisfy labour market and skill needs/shortages in relation to the employment of third-country nationals (which were not already covered in question 1.2.1 above) in 2021? (e.g. use of instruments/tools to forecast labour shortages and the need for labour migration) Y/N.	
Development including objective and driver	Major development
<p>Development: The Regulation for Skilled Workers 2021³⁸ came into force on 1 January 2021. It includes a list of shortage occupations, which is updated annually.³⁹ In 2021, foreign nationals who met the relevant criteria (Art. 12a Act Governing the Employment of Foreign Nationals) were able to be admitted for employment in these shortage occupations throughout Austria or in certain provinces. There were 45 shortage occupations nationwide and between two (Carinthia and Lower Austria) and 43 (Upper Austria) further shortage occupations in the provinces. Across the country, 11 fewer occupations were listed than in 2020,⁴⁰ with doctors being added as a shortage occupation group in 2021 and chefs, blacksmiths, machine fitters and vehicle repair technicians among the occupations to be removed from the list. In addition, the Regulation for Skilled Workers 2022 was promulgated on 22 December 2021. It specifies 66 shortage occupations nationwide and up to 49 regionally specific shortage occupations.⁴¹ The number of occupations has increased significantly compared with 2021, which is due to the shortage of skilled workers, especially in technical occupations and also in the health and tourism sectors (Federal Ministry of Labour, 2021d).</p> <p>Objective: The aim is to secure Austria's role as a centre of business and employment.</p> <p>Driver: The background for the regulation is Article 13 of the Act Governing the Employment of Foreign Nationals,⁴² according to which the Federal Minister for Labour is to define shortage occupations for the following year by regulation in the event of a long-term labour shortage that cannot be met by the existing national labour force.</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The number of occupational groups has increased significantly. This decision has a major impact on applicants.</i></p>
<p>Development: Through the establishment of the Care Task Force, the Federal Ministry of Social Affairs, Health, Care and Consumer Protection launched a strategy process involving the key stakeholders. The aim of this process is to work out how different target groups, including foreign staff, can be encouraged to train in nursing and care professions and prepared for work in this sector. Examples include measures relating to initial training and the validation and/or recognition of qualifications (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021a:2–3).</p> <p>Objective: The aim is to further develop the long-term care system (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021a:2–3).</p> <p>Driver: The COVID-19 pandemic is one of the catalysts for this development.</p>	<p><input type="checkbox"/> Major</p>

³⁸ Regulation for Skilled Workers 2021, FLG II No. 595/2020.

³⁹ Shortage occupations are occupations for which there are no more than 1.5 registered jobseekers per vacancy.

⁴⁰ Written input: Federal Ministry of Labour, 25 January 2022.

⁴¹ Regulation for Skilled Workers 2022, FLG II No. 573/2021.

⁴² Act Governing the Employment of Foreign Nationals, FLG No. 218/1975 in the version of federal law FLG I No. 54/2021.

1.2.3 "SOCIAL DUMPING"⁴³ AND LABOUR EXPLOITATION

5. Were there any <u>new legal or policy</u> developments aimed at tackling labour exploitation and/or social dumping of third-country national workers legally residing in your (Member) State in 2021? Y/N.	
Development including objective and driver	Major development
<p>Development: Amendments to the Act to Combat Wage and Social Dumping came into force on 1 and 10 September 2021.⁴⁴ The amendments transpose the EU Posting of Workers Directive⁴⁵ and criticisms raised by the European Court of Justice into national law. The legislative amendment adapts instruments for prosecution and takes measures to reduce bureaucracy. In addition, protection standards have been established for foreign employees who are posted to Austria. For instance, employees who work in Austria are comprehensively protected by Austrian labour law after one year of residence (Federal Ministry of Labour, 2021c).</p> <p>Objective: The aim of the amendment to the Act to Combat Wage and Social Dumping is to implement the 2016 EU directive and at the same time to improve overall conditions of competition and protection standards for foreign employees (European Commission, 2016).</p> <p>Driver: The driver behind the amendment is the revision of the EU directive concerning the posting of workers, which states that the principle of equal treatment with local temporary agency workers must also be applied to posted temporary agency workers. In order to incorporate this principle, Austria had to amend its national law (European Commission, 2016).</p>	<p><input checked="" type="checkbox"/> Major <i>Protection from wage and social dumping and the transposition of the relevant EU directives has a high priority in Austria.</i></p>
<p>Development: An amendment to the Construction Workers' Annual Leave and Severance Pay Act came into force on 1 August 2021.⁴⁶ With the introduction of a personnel information system (IT system), relevant, current data of persons employed on construction sites is to be recorded and retrieved. This includes, for example, data on registration with social insurance and/or the Construction Workers' Annual Leave and Severance Pay Fund. In the case of foreign employees, it should be possible to query whether the employee holds authorization, confirmation or a residence permit for the specific employment at the building site that is documented at the Public Employment Service. The IT system is used by means of a construction ID card, which is issued to employees.^{47,48}</p> <p>Objective: The construction ID card is intended to enable those responsible for building sites to check whether the required information has been received for workers employed on a building site. The responsible inspection authorities should be able to access current data in order to speed up inspection procedures at the building site.⁴⁹</p> <p>Driver: The amendment is intended to counter wage and social dumping, benefit fraud and irregular employment in the construction industry.⁵⁰</p>	<p><input type="checkbox"/> Major</p>

⁴³ While there is no definition of the concept of "social dumping" in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The EMN Glossary (Version 7.0) defines social dumping as "The practice whereby workers are given pay and / or working and living conditions which are sub-standard compared to those specified by law or collective agreements in the relevant labour market, or otherwise prevalent there." See: <https://ec.europa.eu>.

⁴⁴ Federal Act Amending the Act to Combat Wage and Social Dumping, the Temporary Employment Act and the Employment Contract Law Adaptation Act, FLG I No. 174/2021.

⁴⁵ Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (text with EEA relevance), PE18/1/18/REV/1.

⁴⁶ Federal Act Amending the Construction Workers' Annual Leave and Severance Pay Act, FLG I No. 157/2021.

⁴⁷ Written input: Federal Ministry of Labour, 10 March 2022.

⁴⁸ Motion Federal Act Amending the Construction Workers' Annual Leave and Severance Pay Act - Explanation (1773/A XXVII. Legislative Term). Available at www.parlament.gv.at.

⁴⁹ Written input: Federal Ministry of Labour, 10 March 2022.

⁵⁰ Motion Federal Act Amending the Construction Workers' Annual Leave and Severance Pay Act - Explanation (1773/A XXVII. Legislative Term). Available at www.parlament.gv.at.

1.2.4 BILATERAL LABOUR MIGRATION AGREEMENTS⁵¹

6. Were there any <u>new</u> developments regarding bilateral labour migration agreements (including Skills Mobility Partnerships / Talent Partnerships) between your (Member) State and third countries in 2021? Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.2.5 CIRCULAR MIGRATION

7. Were there any new developments regarding the creation of opportunities for third country nationals to work in the EU under circular migration⁵² in 2021? Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.2.6 OTHER DEVELOPMENTS IN WORK-RELATED MIGRATION

8. Were there any <u>other new legal and / or policy</u> developments in the area of work-related migration in 2021 (for example, in the simplification of procedures etc)? Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.3 STUDENTS AND RESEARCHERS

9. Were there any <u>new legal or policy</u> developments in relation to a) Students and b) Researchers in 2021? Y/N	
Development including objective and driver	Major development
a) Students	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Researchers	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

⁵¹ According to the International Organization for Migration (IOM), bilateral labour migration agreements are “formal mechanisms concluded between States, which agreements are essentially legally binding commitments concerned with inter-state cooperation on labour migration. The term is also used to describe less formal arrangements regulating the movement of workers between countries entered into by States as well as a range of other actors, including individual ministries, employer organizations, etc.”. (Source: <https://publications.iom.int>), last accessed on 15 November 2021.

⁵² Circular migration: A repetition of legal migration by the same person between two or more countries. See: <https://ec.europa.eu> last accessed on 15 November 2021.

1.4 FAMILY REUNIFICATION⁵³ INCLUDING FAMILY FORMATION

10. Were there any <u>new legal or policy</u> developments regarding family reunification, including family formation, in 2021? Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

11. Were there any new legal or policy developments in relation to family reunification/formation of <u>adult</u> beneficiaries of international protection in 2021? ⁵⁴ Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.5 INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION

12. Were there any <u>new legal or policy</u> developments in 2021 to improve the provision of information on the routes to and conditions of legal migration for third-country nationals? Y/N. For example, legal / policy decisions to improve provision of information through information campaigns aiming at legal migration (e.g. campaigns targeting students, highly-skilled workers, family reunification), websites, specific centres etc. <u>The aim here is not to obtain a detailed list of campaigns or changes to existing websites.</u>	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

1.6 OTHER MEASURES REGARDING LEGAL MIGRATION

13. Were there any <u>other new legal or policy</u> developments regarding legal migration in 2021 (developments not specifically tied to one of the categories or topics already covered above)? Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

⁵³ This refers to family reunification under the Family Reunification Directive (2003/86/EC).

⁵⁴ Please note that family tracing for unaccompanied minors is covered in Section 3.1.7.

2 INTERNATIONAL PROTECTION

Please note that the information collected in this section may also be used in the EASO Asylum Report – Annual Report on the Situation of Asylum in the EU.

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas as indicated below in Section 2.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**⁵⁵ and the **drivers**⁵⁶ of the legislative or policy development.
- ✓ Flag whether the development was a ‘major’ development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

2.1 LEGISLATIVE AND POLICY DEVELOPMENTS RELATED TO INTERNATIONAL PROTECTION

2.1.1 OVERARCHING STRATEGIC LEGAL OR POLICY DEVELOPMENTS IN INTERNATIONAL PROTECTION

14. Were there any overarching legal or policy developments in relation to international protection in 2021? Y/N	
Development including objective and driver	Major development
Development: For extensions of the special provisions in the Federal Office for Immigration and Asylum Procedures Act and the Asylum Act 2005 in the context of the COVID-19 pandemic, see 0 .	<input type="checkbox"/> Major

2.1.2 ACCESS TO THE ASYLUM PROCEDURE

15. Were there any new legal or policy developments in relation to access to the asylum procedure (i.e. making, registering and lodging an application) ⁵⁷ in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

2.1.3 RECEPTION OF ASYLUM APPLICANTS

16. Were there any <u>new legal or policy developments</u> in relation to reception of applicants for international protection in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

⁵⁵ Objective of the development: what is this legal/policy change/development intended to achieve?

⁵⁶ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

⁵⁷ As per the Asylum Procedures Directive 2013/32/EU: **Making an application:** during this phase the person expresses the intention to apply for **international protection**; **registering an application:** the applicant's intention to seek protection is registered, which may be done by an authority not competent for the asylum procedure itself, such as the border police; **lodging an application:** the asylum application is formally lodged at the competent authority for the asylum procedure.

17. Were there any new legal or policy developments in relation to integration measures specifically aimed at the integration of applicants of international protection in 2021? Y/N (NB please include measures for beneficiaries of international protection in Section 4)

Development including objective and driver	Major development
<p>Development: On 23 June 2021, the Constitutional Court revoked two decrees issued by the (then) Federal Ministry of Labour, Social Affairs, Health and Consumer Protection and Federal Ministry of Economic Affairs and Labour.⁵⁸ It did so for formal reasons. Among other things, the decrees provided that asylum seekers may only be employed in harvest or seasonal work. After the Constitutional Court's decision had been announced, the Federal Minister for Labour issued a decree to the Public Employment Service on 14 July 2021⁵⁹ clarifying that applications for work permits must be processed in accordance with the provisions of Articles 4 and 4b of the Act Governing the Employment of Foreign Nationals and the associated rulings of the high courts.⁶⁰ The legislation provides for a preliminary labour market test that is designed to get people into work, primarily Austrian nationals and foreign workers who are already integrated in the labour market. As a result, admission of asylum seekers to the labour market continues to be restricted (Federal Ministry of Labour, 2021a).</p> <p>Objective: The objective was to legally clarify labour market access for asylum seekers. The two decrees were revoked for formal reasons.⁶¹</p> <p>Driver: The Constitutional Court examined a complaint brought by a sheet metal business and subsequently revoked two decrees on work permits for asylum seekers on the grounds that they were unlawful. The reason given was that the underlying decrees should be classified as regulations and should thus have been promulgated in the Federal Law Gazette, but this was not done.⁶²</p>	<input type="checkbox"/> Major

18. Were there any new legal or policy developments regarding (alternatives to) detention of applicants for international protection in 2021? Y/N.⁶³

Development including objective and driver	Major development
<p>Development: For new legal developments relating to detention for Afghan nationals, see 9.2.4. b).</p>	<input type="checkbox"/> Major

2.1.4 ASYLUM PROCEDURE – TYPES OF PROCEDURE

19. Were there any new legal or policy developments in relation to the standard procedure or other types of asylum procedures in 2021, under the following headings:

Development including objective and driver	Major development
a) Standard procedure	
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Major
b) Dublin procedure (e.g. policies relating to suspension of transfers)	
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Major

⁵⁸ Constitutional Court Austria, 23 June 2021. *Beschäftigungsverbot für Asylwerber ist verfassungswidrig*, V_95-96_2021.

⁵⁹ Decree of July 14, 2021, CN 2021-0.502.591. See Federal Ministry of Labour, 2021a.

⁶⁰ Written input: Federal Ministry of Labour, 25 January 2022.

⁶¹ Written input: Federal Office for Immigration and Asylum, Federal Ministry of the Interior, Department III/1 (Legislation), 26 January 2022.

⁶² Constitutional Court Austria, 23 June 2021. *Beschäftigungsverbot für Asylwerber ist verfassungswidrig*, V_95-96_2021.

⁶³ Detention / alternatives to detention in the context of return is covered in Section 9.2.4.

c) Border Procedure	
<p>Development: On 1 July 2021, the Provincial Administrative Court of Styria upheld a complaint against the exercise by the administrative authority of a direct power to issue orders and to use force at the border crossing point between Austria and Slovenia on 28 September 2020. The complainant had been intercepted at the border without a travel document and had indicated that he was in need of asylum. He was subsequently searched, stripped and rejected at the border. Rejection of the complainant at the border crossing point to Slovenia by a law enforcement body was deemed unlawful, as was the fact that the complainant was made to undress completely during the search.⁶⁴ In response to the court finding, the Federal Ministry of the Interior ordered an evaluation of the official action and initiated a revision procedure (MoI, 2021g:6).</p> <p>Objective: The aim is to clarify the admissibility of the exercise by the administrative authority of a direct power to issue orders and to use force at border crossing points.</p> <p>Driver: The driver was the complaint made by the individual to the provincial administrative court.</p>	<input type="checkbox"/> Major
d) Safe country concepts (e.g. introducing concept into law; creating or revising safe country of origin lists)	
<p>Development: In accordance with an amendment to the Federal Office for Immigration and Asylum Procedures Act,⁶⁵ the United Kingdom of Great Britain and Northern Ireland continues to be considered a safe country of origin after its exit from the EU on 1 January 2021.</p> <p>Objective: The aim is to define the countries that are considered safe countries of origin.</p> <p>Driver: The driver behind the development was the exit of the United Kingdom of Great Britain and Northern Ireland from the EU.</p>	<input type="checkbox"/> Major
e) Other procedures (e.g. admissibility procedures; accelerated procedures)	
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Major

2.1.5 ASYLUM PROCEDURE – OPERATIONAL ASPECTS

20. Were there any new legal or policy developments in relation to operational aspects of the asylum procedure in 2021 under the following headings? Y/N.	
Development including objective and driver	Major development
a) Access to information and legal counselling/representation	
<p>Development: Since 1 January 2021, the newly established Federal Agency for Reception and Support Services company with limited liability has also been responsible for the service areas of legal advice, return counselling and return assistance (see 0 and 9.2.1.). Since 1 January 2021, the federal agency has therefore been responsible for providing legal advice at the Federal Office for Immigration and Asylum and before the Federal Administrative Court (EMN Austria, 2021:22–23). In addition to the legal provision of Article 13 of the Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability,⁶⁶ organizational and institutional measures – for example, establishing freedom from instructions in terms of subject matter and setting up an advisory board on quality – ensure that the legal advice provided by the federal agency is independent and not subject to instructions in terms of its content (MoI, 2020b). In order to enforce standardized quality criteria, a course for all active legal counsellors was launched in 2021. Stricter qualification requirements now apply to all future employees in this field (Fussenegger, 2021:80).</p> <p>Objective: The key objective in relation to the launch of the Federal Agency for Reception and Support Services company with limited liability is to be able to guarantee the assurance and</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The establishment and launch of the Federal Agency for Reception and Support Services company with limited liability had a high political priority and was debated extensively at national level. In addition, the Federal Agency for Reception and Support Services company with limited</i></p>

⁶⁴ Provincial Administrative Court of Styria, 1 July 2021. LVwG 20.3-2725/2020.

⁶⁵ Federal Act Amending the Settlement and Residence Act, the Asylum Act 2005 und the Federal Office for Immigration and Asylum Procedures Act, FLG I No. 145/2020.

⁶⁶ Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, FLG I No. 53/2019.

quality of all assigned areas of responsibility at the highest level in the interests of the individuals who are cared for, advised and represented (EMN Austria, 2021:10). Driver: The background is the establishment of the Federal Agency for Reception and Support Services company with limited liability in 2019 (see 0). ⁶⁷	<i>liability necessitated organizational restructuring.</i>
b) Provision of interpretation	
Development: The newly established Federal Agency for Reception and Support Services company with limited liability has, since 1 January 2021, also been responsible for the provision of interpreters and translators. Objective: See 2.1.5.a). Driver: See 2.1.5.a).	<input checked="" type="checkbox"/> Major
c) Timeframes and case management (including backlog management, caseload management tools e.g. prioritisation procedures) for i) first instance determinations and ii) appeals/judicial review	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Country of origin information (policy level developments in methodology)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
e) Digitisation of the procedure/Data management elements	
Development: Statistics on asylum and foreign nationals and their publication are developed in a continuous internal evaluation and optimization process. In March 2021, the evaluation of the existing statistics on asylum and foreign nationals was the subject of a parliamentary motion for a resolution (Parliamentary Administration, 2021b). ⁶⁸ The Federal Ministry of the Interior initiated an associated evaluation process, with scientific support being provided by St. Pölten University of Applied Sciences (Mol, 2021c:2). It is planned to adapt the asylum statistics in 2022, taking account of the results of this evaluation. ⁶⁹ Objective: The aim is to evaluate the existing statistics on asylum and foreign nationals and their publication and to present the results and measures derived from them to the National Council after a report has been prepared. ⁷⁰ Driver: The driver is the examination of ways of publishing the data and the aim of ensuring transparency when processing the collected data (Parliamentary Administration, 2021b).	<input type="checkbox"/> Major

2.1.6 FAMILY TRACING AND MAINTAINING FAMILY UNITY⁷¹ FOR ADULT BENEFICIARIES OF INTERNATIONAL PROTECTION

21. Were there any new legal or policy developments in relation to the availability of family tracing for <u>adult</u> beneficiaries of international protection in 2021? ⁷² Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

⁶⁷ Ibid.

⁶⁸ Resolution of the National Council on 24 March on the evaluation of the Federal Ministry of the Interior's asylum and aliens law statistics (146/E XXVII. Legislative Term). Available at www.parlament.gv.at.

⁶⁹ Written input: Federal Office for Immigration and Asylum, Federal Ministry of the Interior, Department III/1 (Legislation), 26 January 2022.

⁷⁰ Resolution of the National Council on 24 March on the evaluation of the Federal Ministry of the Interior's asylum and aliens law statistics (146/E XXVII. Legislative Term). Available at www.parlament.gv.at.

⁷¹ A right provisioned in Art. 23 of Directive 2011/95/EU (Recast Qualification Directive) and in Art. 12 of Directive 2013/33/EU (Recast Reception Conditions Directive) obliging EU Member States to ensure that family unity can be maintained.

⁷² Please note that family tracing for unaccompanied minors is covered in Section 3.1.7.

22. Were there any new legal or policy developments in relation to maintaining family unity for <u>adult</u> applicants for international protection in 2021? ⁷³ Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

2.1.7 WITHDRAWAL OF INTERNATIONAL PROTECTION

23. Were there any new legal or policy developments in relation to withdrawal (both revocation and cessation) of international protection in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

2.1.8 OTHER DEVELOPMENTS

24. Were there any other new legal and policy developments in the field of international protection in 2021 which were not covered above? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

2.2 RELOCATION AND RESETTLEMENT

2.2.1 RELOCATION⁷⁴

Legal and policy changes in relation to national relocation programmes.⁷⁵

25. Were there any new legal or policy changes in 2021 in relation to <u>national relocation</u> programmes (NB data on EU level relocation programmes will be provided by DG HOME)? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

⁷³ Please note that maintaining family unity for unaccompanied minors is covered in Section 3.1.7. Maintaining family unity refers to efforts to make sure that asylum applicants who arrive in the EU as a family are not separated before, during or after the asylum procedure.

⁷⁴ Relocation: The transfer of persons having a status defined by the Geneva Refugee Convention and Protocol or subsidiary protection within the meaning of Directive 2011/95/EU (Recast Qualification Directive) from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their application for international protection will be examined. In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, as defined in Council Decision 2015/1601 and 2016/1754, having applied for international protection from the EU Member State, CH or NO which is responsible for examining their application to another EU Member State, CH or NO where their application for international protection will be examined (see EMN Glossary V6).

⁷⁵ Please note that resettlement and relocation activities specifically related to unaccompanied minors are covered in Section 3.1.15.

2.2.2 RESETTLEMENT AND HUMANITARIAN ADMISSION PROGRAMMES⁷⁶

Legal and policy changes in relation to [resettlement and humanitarian](#) admission programmes

NB Please note that relocation and resettlement activities specifically related to unaccompanied minors are covered in Section 3.1.15.

26. Were there any new legal or policy changes in 2021 in relation to resettlement and humanitarian admission programmes (e.g. pledges made in 2021; new national programmes introduced; new policy approaches to resettlement, e.g. community sponsorship; developments in relation to the reception, supports for and legal status of persons accepted under such schemes)? Y/N Please note that developments solely on Afghanistan after 31 August 2021 are requested in Question 27.

Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

27. Were there any new legal or policy changes in 2021 in relation to resettlement and humanitarian admission programmes or other frameworks for persons from Afghanistan after 31 August 2021 (e.g. pledges made in 2021; new national programmes introduced; developments in relation to the reception, supports for and legal status of persons accepted under such schemes)? Y/N.

Please specify if the development was in the framework of resettlement, a humanitarian admission programme or other type of framework. Please include one development per row. If needed, please add additional rows to the table below.

Please describe the development

Austria does not provide for direct admission of Afghan nationals (without a valid residence permit in Austria) from the region. If certain conditions are met, family members of beneficiaries of protection who are resident in Austria have the option to apply for a visa at an Austrian representation authority abroad. The reason given by the Federal Ministry of the Interior was the high overall numbers of Afghan nationals who have made an application for asylum in Austria and the associated services provided by Austria. Austria therefore prioritizes developing prospects and protective capacity in the region (MoI, 2021e:2–3) (see [10](#)).

⁷⁶

Resettlement: In the EU context, the transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR) and based on their need for international protection, of a third-country national or a stateless person, from a third country to an EU Member State, where they are permitted to reside with one of the following statuses: (i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive), (ii) a status which offers the same rights and benefits under national and EU law as refugee status (see EMN Glossary).

3 MINORS AND OTHER VULNERABLE GROUPS

Please note that developments reported in this section will be incorporated into the Children in Migration Report 2021, as well as the Annual Report on Migration. The Annual Report will focus on developments relating to unaccompanied minors (UAMs); however, NCPs are invited to report on developments related to all minors (including UAMs) in this section.

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas of Section 3 as indicated below.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the objectives⁷⁷ and the drivers⁷⁸ of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (*e.g. strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

NB Where information reported in this section is relevant also in other sections (for example, where a policy development relating to integration or access to health care applies to both children and adults, to avoid repetition, please enter the information first in this section, and make a cross reference to this section from the other relevant section of the template.

3.1 MINORS

Policy developments may be applicable specifically to third-country national unaccompanied minors or minors accompanied by family members.⁷⁹ Please tick the relevant boxes to show to which group the development is applicable in your Member State. In your responses, please indicate, where applicable, how the best interests of the child are ensured in the reported developments.

3.1.1 IDENTIFICATION AND REGISTRATION

28. Were there any new legal or policy developments at national level in relation to identification and registration of (accompanied / unaccompanied) minors (including the collection of biometric data, identification of special needs)? (Y/N)

Development including objective and driver	Category	Major development
Development: As regards the determination of the best interests of the child, see 3.1.5 .	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

⁷⁷ Objective of the development: what is this legal/policy change/development intended to achieve?

⁷⁸ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

⁷⁹ Within the meaning of the definitions provided by Article 2 of the Qualifications Directive (2011/95/EU).

3.1.2 HUMAN TRAFFICKING

29. Were there any new legal or policy developments at national level in relation to the detection,⁸⁰ identification,⁸¹ housing and other supports for third-country national minors who are (presumed) victims of human trafficking? (Y/N)

If Yes, please elaborate in the box below and specify by type of procedure (asylum/legal migration/minors detected staying irregularly). Please include one development per row and indicate the nature of each development in the tick boxes. If needed, please add additional rows to the table below.

Development including objective and driver	Category	Major development
<p>Development: In 2021, one priority in the fight against human trafficking was to put a stop to child trafficking. Major agenda items for 2021-2023 are to set up a nationwide protection organization for trafficked children, to raise awareness about this subject and to improve the process of identifying these children (Task Force Menschenhandel, 2021b:16).</p> <p>Objective: The Commission on the Best Interests of the Child (see 3.1.5.) considers the purpose of this organization to be to keep trafficked children from going into hiding and thereby prevent the associated risks of dependencies and exploitation (Commission on the Best Interests of the Child, 2021:42, 292).</p> <p>Driver: One driver of this development is a motion for a parliamentary resolution from July 2020 calling on the government to implement the measures provided for in the Government Programme to combat trafficking in human beings, women and children.⁸²</p>	<input checked="" type="checkbox"/> Accompanied minors <input checked="" type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.3 RECEPTION FACILITIES

30. Were there any new legal or policy developments at the national level in relation to the reception of (unaccompanied) minors (including changes in policies/legislation regarding safeguards, minimum standards, facilities adapted to unaccompanied children and families with children, policies on the availability of staff trained in child protection, measures to prevent and respond to child abuse, as well as protection against violence, availability and use of the alternative care system, monitoring of the facilities, access to education for children in reception facilities)? (Y/N).

Development including objective and driver	Category	Major development
<p>Development: As regards the determination of the best interests of the child, see 3.1.5.</p>	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

⁸⁰ EMN Glossary definition of detection of (a situation of) trafficking in human beings: the process of identifying a possible situation of trafficking in human beings.

⁸¹ EMN Glossary definition of identification of a victim of trafficking in human beings: The process of confirming and characterising a situation of trafficking in human beings for further implementation of support.

⁸² Resolution of the National Council on 9 July 2020 on measures to combat trafficking in human beings. Available at www.parlament.gv.at.

3.1.4 GUARDIANSHIP

31. Were there any new legal or policy developments at the national level in relation to guardianship (including changes to the policies regarding training/qualification of guardians, policy changes regarding the number of minors in their care, the timing of the appointment of the guardian, complaint system etc)? (Y/N)		
Development including objective and driver	Category	Major development
Development: As regards the determination of the best interests of the child, see 3.1.5 .	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.5 PROCEDURAL SAFEGUARDS IN THE ASYLUM PROCEDURE

32. Were there any new legal or policy developments at national level in relation to improving the procedural safeguards for minors in the asylum procedure (For example child-friendly methods of providing information, fast tracking procedures of (unaccompanied) minors, consideration of the child's views)? (Y/N)		
Development including objective and driver	Category	Major development
<p>Development: In February 2021, the Federal Ministry of Justice appointed a Commission on the Best Interests of the Child. This commission reviewed the legal framework and its practical application for children in asylum and right-to-remain procedures and drew up a Europe-wide comparison (Federal Ministry of Justice, n.d.). In July 2021 it submitted its report, which contained the following recommendations, among others (Commission on the Best Interests of the Child, 2021:234–240):</p> <ul style="list-style-type: none"> (a) anchor the determination of the best interests of the child in substantive asylum and aliens law; (b) provide legal counselling for minors; (c) review the system for age assessment; (d) safeguard and conduct procedures that are suitable for children; (e) determine the child's best interests in removal cases; (f) ensure standardization and guardianship from the outset; (g) ensure suitable accommodation and reception facilities; and (h) prevent statelessness. <p>In its response, the Ministry of Justice noted that improving the protection of minor refugees was an essential matter and announced that it would take further measures. The aim of these measures would be to improve provisions regarding guardianship of unaccompanied minors, to reform the maintenance advance payment and fee claims, and to change legislation on the determination of the best interests of the child (Federal Ministry of Justice, 2021). On 5 October 2021, Parliament called on the Federal Government to do even more to improve the protection and legal status of children. This demand pertained mostly to safeguarding quick guardianship for unaccompanied minor refugees and to paying special attention to the best interests of the child in asylum procedures (Parliamentary Administration, 2021h).⁸³ On 22 December 2021, the Federal Ministry of the Interior noted that numerous recommendations of the Commission on the Best Interests of the Child were already being applied or in the process of being implemented. The Federal Ministry of the Interior conducted an in-depth analysis — taking into account all</p>	<input checked="" type="checkbox"/> Accompanied minors <input checked="" type="checkbox"/> Unaccompanied minors	<input checked="" type="checkbox"/> Major <i>The developments concerning the best interests of the child were widely discussed.</i>

⁸³ Resolution on the protection of unaccompanied minor refugees, 1120 of the supporting documentation XXVII. Legislative Term - Committee Report National Council - Resolution Text. Available at www.parlament.gv.at.

Development including objective and driver	Category	Major development
<p>relevant norms and judicature — and a review of the issue from a legal perspective, with the involvement of scientific experts within the framework of an advisory board.⁸⁴ The measures taken encompass inter alia the production of guidelines on conducting the determination of the best interests of the child, the adaptation of other internal work documents, in-depth training for personnel and an internal evaluation at the ministry (Mol, 2021b).⁸⁵</p> <p>Objective: To improve the protection of refugee children in Austria.</p> <p>Driver: The Commission on the Best Interests of the Child was appointed following public discussions surrounding the removal of two families with children who grew up in Austria and in some cases were even born in Austria (Der Standard, 2021; Parliamentary Administration, 2021a).</p>		

3.1.6 AGE ASSESSMENT

33. Were there any new legal or policy developments at national level in relation to age assessment or in the methods of age assessment (for example establishing less invasive methods)? (Y/N)		
Development including objective and driver	Category	Major development
<p>Development: As regards the determination of the best interests of the child, see 3.1.5.</p>	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.7 FAMILY TRACING AND MAINTAINING FAMILY UNITY

34. Were there any new legal or policy developments at national level in relation to family tracing and maintaining family unity for example through acceleration of family reunification procedures, prioritising unaccompanied and separated children? (Y/N)		
Development including objective and driver	Category	Major development
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

35. Were there any new legal or policy developments at national level in relation to family reunification under the Dublin III Regulation (Y/N)		
Development including objective and driver	Category	Major development
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

⁸⁴ Written input: Federal Office for Immigration and Asylum, Federal Ministry of the Interior, Department III/1 (Legislation), 26 January 2022.

⁸⁵ Written input: Federal Office for Immigration and Asylum, Federal Ministry of the Interior, Department III/1 (Legislation), 26 January 2022.

3.1.8 DETENTION DURING THE ASYLUM PROCEDURE AND FOR THE PURPOSE OF RETURN

36. Were there any new legal or policy developments at national level in relation to the (alternatives to) detention of (unaccompanied) minors or families with minors for the purpose of return? (Y/N)		
Development including objective and driver	Category	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

37. Were there any new legal or policy developments at national level in relation to the (alternatives to) detention of (unaccompanied) minors or families with minors during the asylum procedure? (Y/N)		
Development including objective and driver	Category	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.9 VOLUNTARY AND FORCED RETURN

38. Were there any new legal or policy developments at national / regional level in relation to voluntary/forced returns of third-country minors? (Y/N)		
Development including objective and driver	Category	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.10 INTEGRATION

39. Were there any new legal or policy developments at national/regional level in relation to the integration of third-country national minors in the host society? (Y/N)		
Development including objective and driver	Category	Major development
a) Basic skills and language training		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
b) Early childhood education and care		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
c) Primary and secondary education		

<p>Development: In the context of the COVID-19 pandemic, learning support for children was continued and further expanded in 2021, as was social and material support to help them attend school (see also 4.6.) (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021j, 2021c; #weiterlernen, 2020). Central to these efforts are summer school with German support classes for children and accompanying courses for parents (Expert Council for Integration, 2021:63). A decision was made in December 2021 to integrate summer school into the regular school system. This means that in future, summer school will be staged every year at the end of the summer holidays (Parliamentary Administration, 2021l). One focus is on language-sensitive instruction and on support for pupils so they can overcome their language deficiencies. Pupils from German support classes or courses are to be given the option after completing summer school to take the standardized tests to redetermine their language level. As a result, they have the option of switching to a German support course or of attaining the status of a regular pupil.⁸⁶</p> <p>Objective: The goal of Austrian integration policy is to counter existing inequalities in educational attainment and competency level among pupils with and without a migratory background (Expert Council for Integration, 2020:3–4).</p> <p>Driver: Summer school was held for the first time in the summer of 2020 as a consequence of the COVID-19 pandemic. The amended law creates the option of support lessons outside regular instruction times, thereby transferring expanded summer school into the regular school system.⁸⁷</p>	<input checked="" type="checkbox"/> Accompanied minors <input checked="" type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
d) Other forms of education (including non-formal learning⁸⁸ e.g. through involvement in associations, culture and sport, etc.		
<p>Development: In 2021, one focus of integration work was to provide support to girls with a migratory background. September 2021 saw the launch of new initiatives of the Austrian Integration Fund aimed at discussing opportunities with girls and young women with a migratory background and at strengthening their sense of self-determination (Austrian Integration Fund, 2021j, 2021k, 2021i). November 2021 saw the publication of a brochure against violence and for self-determination of girls with a migratory background (Austrian Integration Fund, 2021o).</p> <p>Objective: The objective is to make them more aware of the rights and opportunities they have as girls and women in Austria and to promote their sense of self-determination (Austrian Integration Fund, 2021i).</p> <p>Driver: One work priority set by the Federal Chancellery and the Austrian Integration Fund is to strengthen and support women and girls with a migratory background (see 4.6.d) (Austrian Integration Fund, 2021i).</p>	<input checked="" type="checkbox"/> Accompanied minors <input checked="" type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
<p>Development: U25, a service centre for all young people aged 15 to 25 living in Vienna, was opened on 18 January 2021. This contact point of Public Employment Service Vienna and the City of Vienna helps young people to pursue their education and career (Public Employment Service,</p>	<input checked="" type="checkbox"/> Accompanied minors <input checked="" type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

⁸⁶ Government Proposal - Explanatory Notes: Federal Act Amending the School Organization Act, the School Education Act for Working Adults, the School Hours Act 1985, the Basic Act on the Maintenance of Compulsory Schools, Act on Federal Schools for Agriculture and Forestry, the Compulsory Schooling Act 1985, the Higher Education Act 2005 and the Second COVID-19 Higher Education Act, 1171 of the supporting documentation XXVII. Legislative Term. Available at www.parlament.gv.at.

⁸⁷ Ibid.

⁸⁸ According to CEDEFOP, non-formal learning is “learning which is embedded in planned activities not explicitly designated as learning (in terms of learning objectives, learning time or learning support)”. Non-formal learning is intentional from the learner’s point of view. (Source: Terminology of European education and training policy – a selection of 100 key terms. CEDEFOP, Luxembourg: Office for Official Publications of the European Communities, 2008. Available at: www.cedefop.europa.eu)

<p>2021a), also including, in particular, young people who have been granted asylum (Public Employment Service, 2021b).</p> <p>Objective: To concentrate the resources and services at a single site in order to improve support for adolescents and young adults as they transition from school to working life and beyond into their initial years of gainful employment (Stadt Wien, 2021b).</p> <p>Driver: To promote training or qualifications, inter alia also with an eye to the labour market in the context of the COVID-19 pandemic (Public Employment Service, 2021b).</p>		
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3.1.11 ACCESS TO SERVICES/RIGHTS FOR MINOR APPLICANTS FOR INTERNATIONAL PROTECTION

40. Were there any new legal or policy developments in 2021 at national level in relation to the services/rights for <u>minor applicants for international protection</u> in 2021, including new national level programs and/or initiatives to improve access to these services? Y/N.		
Development including objective and driver	Category	Major development
a) Access to health care		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
b) Access to psychological support		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
c) Access to education		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
d) Other		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.12 ACCESS TO SERVICES/RIGHTS FOR MINORS NOT APPLYING FOR INTERNATIONAL PROTECTION BUT RECORDED WITHIN ANOTHER MIGRATION PROCEDURE

41. Were there any new legal or policy developments in 2021 at national level in relation to the services/rights for minors not applying for asylum but recorded within another migration procedure Y/N.		
Development including objective and driver	Category	Major development
a) Access to health care		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
b) Access to psychological support		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
c) Access to education		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
d) Other		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.13 ACCESS TO SERVICES/RIGHTS FOR MINORS NOT APPLYING FOR ASYLUM, WHO REMAIN OUTSIDE THE ASYLUM/MIGRATION/(CHILD) PROTECTION SYSTEM (IRREGULARLY STAYING MINORS)

42. Were there any new legal or policy developments in 2021 at national level in relation to the services/rights for irregularly staying minors in 2021? Y/N.		
Development including objective and driver	Category	Major development
a) Access to health care		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
b) Access to psychological support		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors	<input type="checkbox"/> Major

	<input type="checkbox"/> Unaccompanied minors	
c) Access to education		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major
d) Other		
Development: No significant changes in 2021.	<input type="checkbox"/> Accompanied minors <input type="checkbox"/> Unaccompanied minors	<input type="checkbox"/> Major

3.1.14 TRANSITION TO ADULTHOOD

43. Were there any new legal or policy developments at national level in the type of support (e.g. housing, education, employment, psychological support) available for the transition to adulthood of third-country national <u>unaccompanied minors</u> legally residing in your Member State? (Y/N)	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

3.1.15 RESETTLEMENT AND RELOCATION

44. Were there any new legal or policy developments at national level in relation to resettlement and/or relocation of <u>unaccompanied minors</u> to your Member State in 2021 (including prioritisation e.g. through quotas, fast-track procedures)? (Y/N)	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

3.1.16 STATELESSNESS

45. Were there any new legal or policy developments in relation to the <u>prevention of children being born stateless</u> in your Member State in 2021? Y/N	
Development including objective and driver	Major development
Development: As regards the determination of the best interests of the child, see 3.1.5 .	<input type="checkbox"/> Major

46. Were there any legal or policy developments in relation to the <u>protection of children recognised as stateless</u> in your Member State in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

3.2 OTHER VULNERABLE GROUPS

Other vulnerable groups include disabled people, elderly people, lesbian, gay, bisexual, transgender, queer or questioning, and intersex (LGBTQI) people, pregnant women, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation, following the specific headings outlined below.

Please note that this subsection covers other vulnerable groups excluding victims of human trafficking; this group is covered in Section 8.

47. Were there any new legal or policy developments at national level regarding vulnerable groups (excluding victims of trafficking in human beings) in the asylum procedure?	
Development including objective and driver	Major development
a) Special reception facilities for vulnerable groups	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Identification mechanisms/referrals	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Applicable procedural safeguards	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Other	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

48. Were there any new legal or policy developments at national level regarding vulnerable groups (excluding victims of trafficking in human beings) outside of the asylum procedure?	
Development including objective and driver	Major development
a) Special reception facilities for vulnerable groups	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Identification mechanisms/referrals	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Applicable procedural safeguards	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Other	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

4 INTEGRATION AND INCLUSION⁸⁹

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas in Section 4 as indicated below.

If Yes, for each development, please:

- ✓ **Briefly describe the development: what changed?**
- ✓ **Describe the objectives⁹⁰ and the drivers⁹¹ of the legislative or policy development.**
- ✓ **Flag whether the development was a ‘major’ development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).**
- ✓ **Please include one development per row and add additional rows as required.**
- ✓ **List developments in order of importance. If several developments are deemed equally important, please use a chronological order.**

Please note that this section refers to the integration of **third-country national adults including beneficiaries of international protection**. Applicants for international protection are addressed under Section 2.1.3.). Measures related specifically to the integration of minors are addressed in Section 3.1.10.

Some of the questions in this section refer to national and regional policies. Please only report on regional policies where integration is a regional competence; where integration is a competence shared between national and regional levels, please report only on any significant regional variations.

⁸⁹ The European Commission against Racism and Intolerance (ECRI) considers integration to be a two-way process with society, governments and local authorities facilitating, supporting and promoting the integration efforts of individuals. Inclusion is an approach that values diversity and aims to afford equal rights and opportunities by creating conditions which enable the full and active participation of every member of society. This has also been recorded in the “National Action Plan for Integration of the Republic of Austria” of 2011 (p. 2): “Integration is a mutual process characterized by mutual appreciation and respect, whereby clear rules ensure social cohesion and social peace.” See: www.bundeskanzleramt.gv.at.

⁹⁰ Objective of the development: what is this legal/policy change/development intended to achieve?

⁹¹ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

4.1 NATIONAL INTEGRATION STRATEGY

49. Were there any developments in or changes to the national integration strategy (in general or targeting specific groups)? Y/N If yes, please elaborate below. Where specific groups are targeted, please indicate the target group (e.g. women, long-term residents etc.)

Where relevant, please make reference to any developments in the national strategy that support the following principles of the EU Action plan on Integration and Inclusion 2021-2027:⁹² inclusion for all⁹³, targeted support where needed⁹⁴; mainstreaming of gender and anti-discrimination priorities⁹⁵; providing support at all stages of the integration process⁹⁶.

Development	Target Group	Major development
<p>Development: In June 2021, the Federal Minister for Women, Family, Youth and Integration presented the current priorities in integration policy: (1) the labour market, transmission of values and German-language skills; (2) promoting women's equality; (3) a focus on interaction and volunteer work (Federal Chancellery, 2021f). Another focus was to put a stop to segregation and extremism (Federal Chancellery, 2021d). As regards integration, a general focus in 2021 was on analysing the impacts of the COVID-19 pandemic on migration and integration (Expert Council for Integration, 2021; Kohlenberger et al., 2021; Austrian Integration Fund, 2021b). In addition, strategic measures were taken to mitigate as much as possible any negative consequences – e.g. in education, health, the labour market and protection against violence (see 4.4., 4.5. and 4.6.).</p> <p>Objective: “Encourage and challenge” is the guiding principle in Austrian integration policy. The two-fold aim is to provide governmental support but also to have migrants get involved out of a sense of personal responsibility (Expert Council for Integration, 2021:4–5).</p> <p>Driver: The Integration Report 2021, which was released in June, concentrated on the effects of COVID-19 on labour market integration, education and youth as well as women and served as the backdrop for the setting of priorities (Expert Council for Integration, 2021).</p>	<p><input checked="" type="checkbox"/> General</p> <p><input type="checkbox"/> Specific</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The setting of priorities for integration policy is an important strategic decision.</i></p>

50. Were there any changes in the distribution of responsibilities for integration policy between national, regional, and local authorities?

Development including objective and driver	Major development
<p>Development: Since 1 January 2021, all German courses have been organized in a standardized manner and assigned centrally by the Austrian Integration Fund (Federal Chancellery, 2020). In previous years, German courses were organized not only by the Austrian Integration Fund but also by other authorities, for instance the Public Employment Service or the provinces, and participation was linked to different requirements (ORF, 2021). One focus of the centralized Austrian Integration Fund course offerings is to support women in the integration process. So, steps are being taken to enhance the range of childcare options during courses in line with women's needs. Moreover, where necessary, it is now possible for the first time nationwide to</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The change has a major impact on how German courses are organized.</i></p>

⁹² EU Action Plan on Integration and Inclusion COM 2020 758 Final 24 November 2021 <https://eur-lex.europa.eu> last accessed 18 October 2021.

⁹³ Ensuring that all policies are accessible to and work for everyone, including migrants and EU citizens with migrant background. This means adapting and transforming mainstream policies to the needs of a diverse society, taking into account the specific challenges and needs of different groups.

⁹⁴ Within each policy area, policymakers should design targeted and tailored support mechanisms to help newcomers quickly integrate and to overcome specific challenges for these groups.

⁹⁵ Taking into account the combination of personal characteristics, such as gender, racial or ethnic origin, religion or belief, sexual orientation and disability that can represent specific challenges for migrants.

⁹⁶ Providing support to migrants and their receiving communities at the earliest possible moment in the migration process. Mainstream policies are essential to supporting ongoing inclusion and meaningful participation.

Development including objective and driver	Major development
<p>extend extra individual aid in addition to the course to help people attain the intended language level (EMN Austria, 2021:40).</p> <p>Objective: The objective was to work out a uniform national framework and efficient processes and quality standards that would benefit migrants (Austrian Integration Fund, 2020).⁹⁷</p> <p>Driver: This development was motivated by a desire to ensure centralized processing and quality control (EMN Austria, 2021:40).</p>	

4.2 INVOLVEMENT OF MULTI-STAKEHOLDERS INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

51. Were there any new legislation, policy or practice developments at the national/regional level targeting the involvement of multi-stakeholders in promoting the integration of third-country nationals (e.g. civil society organizations, educational institutions, employers and socio-economic partners, social economy organizations, churches, religious and other philosophical communities, youth and students' organizations, diaspora organizations as well as migrants themselves)? Note: please only include overarching programmes/ developments and not individual projects)

Development including objective and driver	Major development
<p>Development: Since June 2021, the Austrian Integration Fund has been supporting volunteer-based integration initiatives that are designed to promote integration in municipalities and regions and to strengthen societal cohesion locally. The activities can range from mentoring, tandem and buddy programmes to German study groups or initiatives advocating inclusion in associations and sport or the transmission of values and a better understanding of the cultures in Austria, as well as labour market integration or volunteer work (Austrian Integration Fund, 2021g, 2021h).⁹⁸</p> <p>Objective: The objective is to strengthen community life in rural municipalities and to assist migrants in becoming linguistically and culturally integrated (Austrian Integration Fund, 2021g).</p> <p>Driver: One priority in the work of the Federal Chancellery and the Austrian Integration Fund is to promote volunteer work and strengthen local societal cohesion in rural regions (see 4.1).</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The development has significant impact on social cohesion especially in rural areas.</i></p>
<p>Development: A further priority in integration policy in 2021 involved cooperative efforts to counter extremism, segregation and so-called political Islam. As a result, five priorities for action were worked out at the international conference held in conjunction with the Vienna Forum on Countering Segregation and Extremism in the Context of Integration in October 2021. They included, among other things, greater cooperation at expert level, the sharing of best practices, collaboration with partner countries and stepped-up research efforts (Federal Chancellery, 2021h).</p> <p>Objective: To overcome challenges posed by extremism, segregation and so-called political Islam in cooperation with each other (Federal Chancellery, 2021h).</p> <p>Driver: The trigger was the terrorist attack in Vienna in November 2020 (Federal Chancellery, 2021h).</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>Important international coordination on prevention work for migrant communities.</i></p>
<p>Development: With respect to integration, Austria promotes efforts to prevent antisemitism in cooperation with the Jewish Community of Vienna. To this end, a sensitization module was created for the Austrian Integration Fund orientation and values courses and will be a fixed part of the courses from 2022 (Austrian Integration Fund, 2022). In addition, there are plans to offer training courses for individuals who are multipliers with respect to integration.⁹⁹ A manual providing helpful guidance and options for action was also produced (Federal Chancellery, 2021c). Moreover, support is provided to thematic youth projects involving integration and an in-depth study was commissioned.</p>	<p><input type="checkbox"/> Major</p>

⁹⁷ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

⁹⁸ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

⁹⁹ Multipliers are, for example, German language trainers, integration counsellors or employees of public authorities.

Development including objective and driver	Major development
<p>Objective: To teach refugees and migrants that Austria bears special historical responsibility and that there is no room in Austria for antisemitism. To empower all employees to counter antisemitism effectively (Austrian Press Agency, 2021).¹⁰⁰</p> <p>Driver: In 2021, the Austrian Federal Government drew up a national strategy for countering antisemitism. The new strategy for preventing and combating all forms of antisemitism defines concrete measures also with regard to integration (Federal Chancellery, 2021b:125–137). To coordinate the operational implementation of the strategy, a special task force for Austrian-Jewish cultural heritage was set up at the Federal Chancellery.¹⁰¹</p>	

4.3 PRE-DEPARTURE/ARRIVAL PROGRAMMES

52. Were there any new policy/legislative developments targeting the integration of third-country nationals through pre-departure/arrival programmes?	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

4.4 EDUCATION AND TRAINING OF ADULTS

53. Were there any new developments targeting the integration of third-country nationals through education and training, including applying new technologies and digital tools (in general or targeting specific groups)?	
Development including objective and driver	Major development
a) Basic skills and language training	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Other forms of education / training (including non-formal learning¹⁰² e.g. through involvement in associations, culture and sport etc.)	
<p>Development: In November 2021, the Federal Chancellery announced that the compulsory orientation and values courses would be lengthened from one to three days effective 1 January 2022. As a result, persons granted asylum or beneficiaries of subsidiary protection status aged 15 or older as well as third-country nationals receiving social assistance are required to complete a 24-hour course rather than an eight-hour one (Federal Chancellery, 2021i).</p> <p>Objective: The objective of this longer course is to be able to transmit the fundamental values of community life in Austria in an even more in-depth and comprehensive manner. The Federal Chancellery views these compulsory values courses as an essential building block for successful integration because they convey important prerequisites for living life in Austria.¹⁰³ Equality and self-determination for women is a cross-cutting priority. Moreover, new modules are being added</p>	<p><input checked="" type="checkbox"/> Major <i>This change has a major impact on participants and on course organization.</i></p>

¹⁰⁰ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

¹⁰¹ Written input: Federal Chancellery, Department IV/6 (Security Policy) and Federal Chancellery, Stabstelle Österreichisch-Jüdisches Kulturerbe, 20 January 2022.

¹⁰² According to CEDEFOP, non-formal learning is “learning which is embedded in planned activities not explicitly designated as learning (in terms of learning objectives, learning time or learning support)”. Non-formal learning is intentional from the learner’s point of view. (Source: Terminology of European education and training policy – a selection of 100 key terms. CEDEFOP, Luxembourg: Office for Official Publications of the European Communities, 2008. Available at: www.cedefop.europa.eu) last accessed 14 November 2021.

¹⁰³ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

on volunteer work and on the prevention of antisemitism (see 4.1. and 4.2) (Federal Chancellery, 2021i).	
Driver: The expanded orientation and values courses stipulated in the Government Programme serve as the backdrop for this development (Austrian Federal Government, 2020:145).	

4.5 LABOUR MARKET AND SKILLS

54. Were there any new developments at the national/ regional level targeting the labour market integration of third-country nationals including applying new technologies and digital tools (in general or targeting specific groups)?	
Development including objective and driver	Major development
a) Access to vocational education and training / other types of training	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Measures targeting third-country national entrepreneurs	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Measures to facilitate the validation of formal qualification	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Measures to facilitate the recognition of skills	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
e) Other measures to facilitate labour market integration of third-country nationals	
Development: In 2021, the range of specialized Austrian Integration Fund language courses was expanded. Since February 2021, specialized language courses have been available for the restaurant and catering trade, for the hotel industry, for tourism and from May 2021 also for the grocery business. All this is being done in cooperation with the Vienna Economic Chamber (Austrian Integration Fund, 2021f, 2021c). Objective: The objective is to enable migrants who work (or would like to work) in these sectors to utilize the time during the COVID-19 restrictions to improve their German-language skills, to build up pertinent vocabulary and thereby add to their qualifications (Austrian Integration Fund, 2021f, 2021c). Driver: The driver is the COVID-19 pandemic.	<input type="checkbox"/> Major
Development: On developments in the integration of adolescents and young adults in the labour market, see 3.1.10.d .	<input type="checkbox"/> Major

4.6 BASIC SERVICES

55. Were there any new policy/legislative developments at the national/ regional level targeting the integration of third-country nationals through access to basic services?	
Development including objective and driver	Major development
a) Access to housing	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

b) Access to health care including in relation to mental health	
<p>Development: The dissemination of multilingual information on COVID-19 and on the vaccination was a priority in Austria in 2021 (Austrian Integration Fund, 2021e). Examples of new information channels include: (1) online advice about basic COVID-19 information for migrants and refugees with limited German-language skills (Austrian Integration Fund, 2021n); (2) a campaign in Austrian Integration Fund German courses focusing on free COVID-19 vaccinations (Austrian Integration Fund, 2021n); and (3) campaigns on social media (Austrian Integration Fund, 2021a). In collaboration with migrant organizations and media as well as integration ambassadors from the ZUSAMMEN:ÖSTERREICH (TOGETHER:AUSTRIA) initiative, information was disseminated on COVID-19 and the vaccination and on current valid safety measures.¹⁰⁴ The Austrian Minister of Health also addressed the Austrian population with a migratory background in video appeals in different languages (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021i, 2021h).</p> <p>Objective: The objective is to provide migrants with reliable information in a language they can understand and to inform them about national testing as well as vaccinations and safety measures (Austrian Integration Fund, 2021d).</p> <p>Driver: This development was driven by the COVID-19 pandemic.</p>	<p><input checked="" type="checkbox"/> Major <i>The dissemination of multilingual information on the COVID-19 virus and the vaccination was a priority in Austria in 2021.</i></p>
<p>Development: Anyone residing in Austria can receive a COVID-19 vaccination free of charge. That also applies to people who have no social insurance number (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021b). To receive the vaccination, people need only present a picture ID and an e-card (Austrian social health insurance card) if they have one (Stadt Wien, 2021a). In addition, special services were also initiated for persons granted asylum and beneficiaries of subsidiary protection status. In September 2021, a vaccination campaign was started at the Austrian Integration Fund Integration Centre with the City of Vienna and with the support of the Samaritan Federation, later also in other provinces (Austrian Integration Fund, 2021l, 2021n). At these vaccination centres, physicians are assisted if necessary by interpreters from the Austrian Integration Fund with a command of Arabic and Dari-Farsi (Austrian Integration Fund, 2021l).</p> <p>Objective: The objective is to create the broadest possible awareness of the services related to COVID-19 vaccination. On-site multilingual information is intended to make access to the vaccinations as open and easy as possible (Austrian Integration Fund, 2021m).</p> <p>Driver: This development was triggered by the COVID-19 pandemic.</p>	<p><input checked="" type="checkbox"/> Major <i>The broad and readily accessible availability of COVID-19 vaccinations was a priority in Austria in 2021.</i></p>
c) Access to social security	
<p>Development: The Federal Act to Combat Pandemic-Related Poverty Impacts (COVID-19 Poverty Act)¹⁰⁵ lays the groundwork for various measures to support low-income groups of the population in the ongoing COVID-19 pandemic. These measures include financial aid for households receiving social assistance or minimum benefit and the provision of additional resources to prevent COVID-19-related evictions and to ensure secure housing.¹⁰⁶ Non-Austrian citizens are also entitled to benefits or assistance as long as they meet the requirements set down in the law or in the directive.¹⁰⁷</p> <p>Objective: The objective is to mitigate the additional financial burdens caused by COVID-19, to safeguard existing housing arrangements, to open up new perspectives with regard to housing and to prevent homelessness.¹⁰⁸</p>	<p><input type="checkbox"/> Major</p>

¹⁰⁴ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

¹⁰⁵ COVID-19 Poverty Act, FLG I No. 135/2020 in the version of FLG I No. 250/2021.

¹⁰⁶ A total of EUR 34 million was budgeted for child allowances and energy cost subsidies; the funds for COVID-19-related eviction prevention and housing security amount to EUR 24 million for the years 2021 to 2023.

¹⁰⁷ Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Department V/A/1 (General Issues and Coordination in EU Affairs), 26 January 2022.

¹⁰⁸ Ibid.

<p>Driver: The backdrop for this development is that low-income individuals are finding it increasingly difficult to cover basic living and housing costs. The COVID-19 pandemic has exacerbated this development.¹⁰⁹</p>	
<p>Development: A special directive of the Federal Minister of Social Affairs, Health, Care and Consumer Protection to combat poverty related to COVID-19 came into force in February 2021. It funds projects that focus on mitigating the negative impacts of the COVID-19 pandemic on individuals at risk of poverty or exclusion (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021d). This set of people includes non-Austrian citizens (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2020b).</p> <p>Objective: The special directive is based on the national strategy to prevent poverty, which was initiated in May 2020. The objective is to mitigate the social impacts of the COVID-19 pandemic for people already affected by poverty (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2020b).</p> <p>Driver: One reason for it is that measures necessitated by COVID-19 caused unemployment in 2020 to rise considerably, especially among foreign nationals (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2020a:61–66).</p>	<input type="checkbox"/> Major
d) Other	
<p>Development: Support for women with a migratory background is a central priority in integration efforts (see 4.1). To this end, there were calls for funding in 2021 to support projects for protecting women from violence and for empowering women and girls with a migratory background (see also 3.1.10.d) (Federal Chancellery, 2021e).</p> <p>Objective: The main objective is to counter domestic violence and to strengthen the self-determination of women with a migratory background.</p> <p>Driver: The factors driving this development include the rising number of women murdered in Austria and the violence protection package of the Federal Government (Federal Chancellery, 2021e).</p>	<input type="checkbox"/> Major

4.7 ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

<p>56. Were there any new policy/legislative developments at the national/regional level targeting the integration of third-country nationals through active (civic/social) participation of migrants and receiving societies? (Note: please only include overarching programmes/developments and not individual projects).</p>	
Development including objective and driver	Major development
a) Migrant participation in local democratic structures	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Organising civic orientation programmes	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Providing opportunities for local communities to interact with migrants	
Development: On the funding of volunteer work and municipalities, see 4.2 .	<input type="checkbox"/> Major
d) Other	
Development: In line with the strategic focus on volunteer-based integration initiatives and local societal cohesion (see 4.2), the Austria Tour of the Federal Minister for Women, Family, Youth	<input type="checkbox"/> Major

¹⁰⁹ Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Department V/A/1 (General Issues and Coordination in EU Affairs), 26 January 2022.

<p>and Integration started in October 2021 in tandem with a discussion series in the municipalities called Local Integration.¹¹⁰</p> <p>Objective: The goal is to exchange information and ideas with the regions and local governments and to talk with mayors, local government integration officials and citizens to find out how the transmission of values and integration is succeeding locally and how these efforts might be improved.¹¹¹</p> <p>Driver: The driver is the strategic focal point (see 4.2.).</p>	
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4.8 FIGHTING RACISM AND DISCRIMINATION

57. Were there any new policy/legislative developments at the national or regional aimed at fighting discrimination of third-country nationals, racism etc.? (Note: please only include overarching programmes/developments and not individual projects)	
Development including objective and driver	Major development
<p>Development: Training courses and seminars were offered to police and multipliers in 2021 to raise their awareness of hate crimes (Melichar, 2021). A national action day against hate crimes was also staged in November 2021 under the direction of the security forces (Mol, 2021u).</p> <p>Objective: The objective of the measure was to have a role model effect and to protect hate crime victims more effectively (Mol, 2021o).</p> <p>Driver: Hate crimes require the existence of prejudice against a certain group in society that serves as the motivation for the crime. The backdrop is that in the prosecution of these crimes since 1 November 2020, the motives for prejudice have also been fully recorded (Fuchs, 2021:11). These motives fall into the following categories: age, disability, gender, skin colour, national/ethnic origin, religion, sexual orientation, social status and world view (Melichar, 2021). The development came about because of the implementation of national and EU regulations, which was driven forward inter alia by a pilot project of the Institute for the Sociology of Law and Criminality (Fuchs, 2021).</p>	<input type="checkbox"/> Major

¹¹⁰ Written input: Federal Chancellery, Directorate General II (Integration, Cultural Office and Ethnic Groups), 25 January 2022.

¹¹¹ Ibid.

5 CITIZENSHIP AND STATELESSNESS

Please note that this section refers to citizenship and statelessness with regard to adult persons from third-countries. Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas in Section 5 as indicated below. Please note that the issue of the prevention of **children** being born stateless in your Member State is covered under Section 3.1.16.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**¹¹² and the **drivers**¹¹³ of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

5.1 ACQUISITION OF CITIZENSHIP

58. Were there any new legal or policy developments in relation to the acquisition of citizenship (prerequisites and conditions) for legally residing third-country nationals in your Member State in 2021? Y/N	
Development including objective and driver	Major development
<p>Development: Since 28 July 2021, individuals legally sentenced under the terrorist paragraphs of the Criminal Code have been at risk of being deprived of their Austrian citizenship provided they still have another citizenship (Parliamentary Administration, 2021e). Under the amended Citizenship Act 1985,¹¹⁴ an individual can be deprived of his or her Austrian citizenship if he or she is legally sentenced to imprisonment for any of the following reasons: (1) leading a terrorist organization or taking part in one; (2) a terrorist offence; (3) financing of terrorism; (4) training for terrorist purposes; (5) providing instructions for committing a terrorist offence; (6) travelling for terrorist purposes; or (7) provoking terrorist offences or approving of terrorist offences. The prerequisite is that the person does not become stateless upon being deprived of citizenship (Parliamentary Administration, 2021c).</p> <p>Objective: The objective is to prevent the spread of extremist ideology (Parliamentary Administration, 2021c).</p> <p>Driver: The trigger was the terrorist attack in Vienna on 2 November 2020 (Parliamentary Administration, 2021c).</p>	<input type="checkbox"/> Major
<p>Development: As regards time extensions of the special provisions in the Citizenship Act 1985 in the context of the COVID-19 pandemic, see 0.</p>	<input type="checkbox"/> Major

¹¹² Objective of the development: what is this legal/policy change/development intended to achieve?

¹¹³ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹¹⁴ Federal Act Amending Citizenship Act 1985 and the Symbols Act, FLG I No. 162/2021.

5.2 STATELESSNESS

59. Were there any new legal or policy developments in relation to the <u>ratification of international conventions on statelessness in 2021?</u> Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

60. Were there any new legal or policy developments in relation to a <u>dedicated statelessness determination procedure (SDP)¹¹⁵ or any other procedures or mechanisms by which statelessness can be identified or the status can be determined in 2021?</u> Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

61. Were there any new legal or policy developments in relation to the <u>issuance of a residence permit for recognised stateless persons in your Member State in 2021?</u> Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

62. Were there any new legal or policy developments in relation to the rights (access to the labour market, access to education, access to health care and social aid, access to citizenship, etc.) granted to recognised stateless persons in your Member State in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

¹¹⁵ A statelessness determination procedure is a mechanism for determining whether an individual is stateless.
Source: EMN (2020) Statelessness in the European Union, p. 4. EMN Inform. Brussels: European Migration Network.

6 BORDERS, VISAS AND SCHENGEN

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas as indicated below for Section 6.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**¹¹⁶ and the **drivers**¹¹⁷ of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

6.1 BORDER MANAGEMENT

6.1.1 EXTERNAL BORDER CONTROL MEASURES/MANAGEMENT

63. Were there any new developments in relation to border control measures/ management implemented in 2021. Y/N.	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

6.1.2 IMPLEMENTATION OF EU DEVELOPMENTS AT EXTERNAL BORDERS

64. Were there any new legal or policy developments in relation to the European harmonisation of external border controls?	
Development including objective and driver	Major development
a) Entry/Exit System (EES)	
<p>Development: A law pertaining to EU border management and its technical implementation was promulgated on 13 December 2021.¹¹⁸ It includes provisions on the common electronic Entry/Exit System (EES). Besides recording travel movements of third-country nationals into and out of the Schengen Area, EES also automatically calculates the length of their stay, generates warnings of overstays for the Member States and saves alphanumeric and biometric data of third-country nationals (Parliamentary Administration, 2021i). Furthermore, technical and organizational implementation efforts were stepped up with an eye to putting the system into service at the end of September 2022.¹¹⁹</p> <p>Objective: The objective is to improve border controls by systematically recording third-country nationals and their travel movements into and out of the Schengen Area.¹²⁰</p> <p>Driver: The driving factors were the implementation obligations pertaining to the pertinent EU regulations and the task of preparing the different EU information systems for networking by making them interoperable.¹²¹</p>	<input type="checkbox"/> Major

¹¹⁶ Objective of the development: what is this legal/policy change/development intended to achieve?

¹¹⁷ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹¹⁸ Act to Adapt EU Information Systems, FLG I No. 206/2021.

¹¹⁹ Written input: Federal Ministry of the Interior, Unit V/6/a (Border Management - Legal Affairs), 21 January 2022.

¹²⁰ Ibid.

¹²¹ Ibid.

b) European Travel Information and Authorisation System (ETIAS)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) The European Interoperability Framework (EIF)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) European integrated border management (IBM)	
<p>Development: In 2021, Austria continued its work on integrated border management (IBM). The evaluation report of the European Commission on the Austrian IBM Strategy 2019–2020 and the Frontex Strategy were incorporated in the Austrian IBM Strategy 2021. Moreover, the Federal Ministry of the Interior and the Austrian Federal Economic Chamber staged a business forum (<i>Wirtschaftstag</i>) on integrated border management in September 2021 to facilitate an exchange of ideas and information about new technologies, products and services (Criminal Intelligence Service Austria, 2021d).</p> <p>Objective: The objective is to increase national security. The business forum is also intended to sustainably strengthen Austria as a business location (Criminal Intelligence Service Austria, 2021d).</p> <p>Driver: This business forum is based on a November 2020 cooperation agreement between the Ministry of the Interior and the Austrian Federal Economic Chamber (Criminal Intelligence Service Austria, 2021d). The recommendations of the Council of the European Union serve as the background to the IBM Strategy (Council of the European Union, 2021).</p>	<input type="checkbox"/> Major
e) Other	
Development: On developments in the Schengen Information System (SIS), see 6.3.b.	<input type="checkbox"/> Major

65. Were there any new legal or policy developments in relation to Local Border Traffic Regimes¹²²?	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

6.1.3 REINFORCED COOPERATION WITH THIRD COUNTRIES IN THE AREA OF BORDER MANAGEMENT

<p>66. Please list any agreements, and other forms of bilateral and multilateral cooperation with third countries that were completed or signed/ entered into force in 2021 with an objective to strengthen operational capacity in combatting irregular migration and control of external borders.</p> <p>Where applicable, please indicate whether working groups or committees were operational in 2021.</p> <p>Please do not assess already existing agreements or collaboration schemes.</p>
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¹²² “Local border traffic” refers to the regular crossing of an external land border by border residents in order to stay in a border area, for example for social, cultural or substantiated economic reasons, or for family reasons, for a period not exceeding the time limit laid down in the Regulation (Article 3(3), Corrigendum to Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention, <https://eur-lex.europa.eu> last accessed on 15 November 2021.

Title of agreement or Working Group (where relevant)	Third country (countries) with whom the cooperation exists	Description (e.g. provision of border equipment, training of border guards, etc.).
Memorandum of Understanding on enhancing bilateral cooperation in effectively combating irregular migration along the Eastern Mediterranean Route	Bosnia and Herzegovina	Increased cooperation to combat irregular migration in border protection and returns and inter alia to combat the smuggling of migrants. ¹²³
Memorandum of Understanding on enhanced cooperation in the area of internal security	North Macedonia	Cooperation on registration procedures and border controls on the border between North Macedonia and Greece. ¹²⁴
Vienna Declaration¹²⁵ - Joint Coordination Platform (JCP)¹²⁶	Countries along the Eastern Mediterranean Route / in the Western Balkan region	Agreement on a new form of cooperation and on mutual assistance in the areas of border management, asylum, return and fight against migrant smuggling. ¹²⁷
Prague Declaration^{128,129}	Countries in the Western Balkan region	Adoption of a political mandate and coordination structure of the JCP to strengthen operational cooperation and allow efficient matching of needs with an overall aim to improve migration management. ¹³⁰
Memorandum of Understanding on enhanced cooperation in the area of internal security	Montenegro	Cooperation in the field of registration procedures and border surveillance at the border with Albania and at the border with Kosovo. ^{131,132}

¹²³ Written input: Federal Ministry of the Interior, Unit I/4/b (International Treaties), 26 January 2022.

¹²⁴ Ibid.

¹²⁵ Ministerial conference – Vienna Declaration on effectively combating irregular migration along the Eastern Mediterranean Route, 24 July 2020. Available at <https://data.consilium.europa.eu>.

¹²⁶ The declaration was adopted at the Ministerial Conference in Vienna on 22 and 23 July 2020. The establishment of the Joint Coordination Platform (JCP) was agreed by all participating ministers and members of the Salzburg Forum. The JCP started its work in January 2021 and aims to improve coordination in the areas of return, asylum, border management and combating trafficking in human beings and smuggling of migrants (see 7.2.5.)

¹²⁷ Written input: Federal Ministry of the Interior, Joint Coordination Platform, 20 January 2022.

¹²⁸ Joint Declaration Salzburg Forum Anniversary Ministerial Conference, 23–24 June 2021, Prague. Available at www.salzburgforum.org.

¹²⁹ Following the Vienna Declaration, the Prague Declaration was signed during the Ministerial Conference in Prague on 23 and 24 June 2021. The Prague Declaration provides the JCP with political guidelines and ensures further cooperation between the members in the area of combating irregular migration and improving migration management in the states of the Western Balkans region (see 7.2.4.c).

¹³⁰ Written input: Federal Ministry of the Interior, Joint Coordination Platform, 20 January 2022.

¹³¹ References to Kosovo shall be understood in the context of United Nations Security Council resolution 1244 (1999).

¹³² Written input: Federal Ministry of the Interior, Unit I/4/b (International Treaties), 9 March 2022.

67. Did your (Member) State take any new policy decisions to deploy or remove liaison officers to particular regions or countries in 2021 (ILO/ ¹³³ EMLO ¹³⁴)? Y/N?	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

6.2 VISA POLICY

68. Were there any new legal or policy developments in relation to the implementation of Visa Policy (both short-stay and long-stay visa) in 2021 under the following headings. Y/N	
Development including objective and driver	Major development
a) Visa reciprocity mechanism	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Other Visa related developments	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

6.3 SCHENGEN GOVERNANCE

69. Were there any new legal or policy developments in relation to Schengen governance during 2021 under the following headings. Y/N?	
Development including objective and driver	Major development
a) Internal borders (including temporary suspension of Schengen)	
<p>Development: In April 2021, a regulation was issued to impose temporary border controls on Austria's borders with Slovenia and Hungary for the period from 12 May to 11 November 2021.¹³⁵ In a subsequent regulation, these border controls were extended to 11 May 2022.¹³⁶ During this period, the borders can only be crossed at duly designated border crossing points. The increased number of apprehensions of irregular migrants prompted Austria to step up security on its border with Hungary and to carry out targeted actions (Mol, 2021p, 2021s).</p> <p>Objective: The objective is to maintain public peace, order and security. According to the Austrian Federal Government, this protection of Austria's internal border is necessary as long as the Austrian Federal Government deems the protection of the EU external borders insufficient (Austrian Federal Government, 2020:139).</p> <p>Driver: The reasons cited are secondary migration, risks connected to terrorism and organized crime, and the situation on the EU external borders (European Commission, 2021).</p>	<input type="checkbox"/> Major

¹³³ According to the EMN Glossary Version 7.0, an Immigration Liaison Officer (ILO) is a "A representative of one of the EU Member States, posted abroad by the immigration service or other competent authorities in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of irregular migration, the return of irregular migrants and the management of legal migration". An European Migration Liaison Officer.

¹³⁴ According to the EMN Glossary Version 7.0, a European migration liaison officer (EMLO) is "A specialised liaison officer seconded in EU Delegations in third countries tasked to coordinate and represent EU interests in the field of migration with the aim of maximising the impact of EU action on migration in third countries and enhancing the engagement of key countries of origin and transit on the entire spectrum of migration".

¹³⁵ Temporary reintroduction of border controls at the internal borders with Slovenia and Hungary, FLG II No. 186/2021.

¹³⁶ Temporary reintroduction of border controls at the internal borders with Slovenia and Hungary, FLG II No. 457/2021.

<p>Development: In the context of the COVID-19 pandemic, Austria reimposed temporary border controls on its borders with neighbouring countries. They included comprehensive controls on Austria's borders with Slovakia and Czechia for the period from 9 January 2021 to 28 May 2021. In addition, random checks were performed at all border crossing points along the border with Slovakia (MoI, 2021d) to verify adherence to the COVID-19 precautionary measures. The border controls were also used for apprehending smugglers of migrants and smuggled migrants (MoI, 2021d).</p> <p>Objective: The purpose was to prevent the further spread of COVID-19.</p> <p>Driver: These border controls were reimposed in January 2021 in response to the COVID-19 infection figures.¹³⁷</p>	<p><input checked="" type="checkbox"/> Major A major priority was to ensure health and to contain the COVID-19 virus.</p>
<p>Development: In the context of the COVID-19 pandemic, Austria also put entry measures into place. For instance, on 15 January 2021, Austria introduced mandatory online registration (pre-travel clearance) prior to each entry into the country (Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021e). Regulations regarding quarantine and proof of negative test results were adjusted in accordance with the COVID-19 situation (Federal Ministry of Agriculture, Regions and Tourism, 2021b; Federal Ministry of Social Affairs, Health, Care and Consumer Protection, 2021f, 2021g, 2021k).¹³⁸</p> <p>Objective: The purpose was to prevent the further spread of the COVID-19 disease.</p> <p>Driver: The driver was the COVID-19 pandemic.</p>	<p><input type="checkbox"/> Major</p>
<p>b) New Schengen acquis (including Schengen Information System (SIS))</p>	
<p>Development: The Act to Adapt EU Information Systems¹³⁹ (see 6.1.2.a) also expands the legal framework for the Schengen Information System (SIS), a database to support external border controls and cooperation with law enforcement authorities. In addition, new ways of conducting biometric searches and automatic fingerprint identification are to be used among all Member States (Parliamentary Administration, 2021i).</p> <p>Objective: The objective is to ensure interoperability for successful police cooperation and to ensure security (Parliamentary Administration, 2021i).</p> <p>Driver: The driving factor for this development is the implementation of EU regulations into national law. Prior to this, existing EU information systems for fighting crime and controlling borders were not networked with each other (Parliamentary Administration, 2021i).</p>	<p><input type="checkbox"/> Major</p>
<p>c) Schengen Evaluation missions</p>	
<p>Development: No significant changes in 2021.</p>	<p><input type="checkbox"/> Major</p>
<p>d) Other Schengen governance related developments</p>	
<p>Development: No significant changes in 2021.</p>	<p><input type="checkbox"/> Major</p>

¹³⁷ Repeal of the Regulation on the temporary reintroduction of border control at internal borders with certain neighbouring countries, FLG II No. 226/2021.

¹³⁸ COVID-19 Entry Regulation 2021, FLG II No. 276/2021 in the version of federal law FLG II No. 491/2021.

¹³⁹ Act to Adapt EU Information Systems, FLG I No. 206/2021.

7 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas in Section 7 as indicated below.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**¹⁴⁰ and the **drivers**¹⁴¹ of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

7.1 PREVENTING AND TACKLING IRREGULAR MIGRATION IN LEGAL MIGRATION CHANNELS

7.1.1 TACKLING MISUSE

70. Were there any new legal or policy developments introduced in 2021 to prevent and / or tackle irregular migration through misuse ¹⁴² of the following legal migration channels? Y/N.	
Development including objective and driver	Major development
a) Visa liberalisation (including monitoring the effects of visa-free regimes in your country)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Legal migration for the purpose of work (e.g. overstay, misuse of rights granted by a permit, etc.)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Legal migration for the purpose of study and research (e.g. overstay, misuse of rights granted by a permit, etc.)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Family reunification	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
e) Other legal migration channels	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

¹⁴⁰ Objective of the development: what is this legal/policy change/development intended to achieve?

¹⁴¹ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹⁴² Misuse in this context refers to a serious breach of EU or national law.

7.1.2 FALSE TRAVEL DOCUMENTS

71. Were there any new legal or policy ¹⁴³ developments in 2021 to prevent, identify and/or investigate fraudulent acquisition and use of false travel documents? Y/N	
Development including objective and driver	Major development
<p>Development: The amendment of the Austrian Passport Act in 2021¹⁴⁴ takes into account new international developments and standards regarding document security when issuing Austrian travel documents and simplifies the verification of documents (Mol, 2021q). In accordance with the EU regulation, the new rules also apply to identity cards of EU citizens and to residence documents issued to EU citizens and their family members exercising their right to free movement.¹⁴⁵</p> <p>Objective: The objective is to increase the security of identity cards and to make the use of false documents more difficult (Ortner, 2021).</p> <p>Driver: On 20 June 2019, the relevant EU regulation¹⁴⁶ was passed, which made it necessary to make changes to national legislation.¹⁴⁷</p>	<input type="checkbox"/> Major

7.2 PREVENTING FACILITATION OF IRREGULAR MIGRATION (“SMUGGLING”) AND PREVENTING IRREGULAR STAY

7.2.1 COMBATING FACILITATION OF IRREGULAR MIGRATION (SMUGGLING)

72. Were there any new legal or policy developments aimed at preventing and combating facilitation of irregular migration (smuggling), including facilitation of unauthorised entry in 2021? Y/N	
Development including objective and driver	Major development
<p>Development: In 2021, Austria expanded the use of drones in its immediate border area. By the summer of 2021, 23 drones had been purchased (Mol, 2021l). This technical support is mainly required along the “green border” (Mol, 2021i, 2021l).</p> <p>Objective: The use of drones should enable the more efficient deployment of personnel in the immediate border area (Provincial Police Directorate of Vienna, 2021).</p> <p>Driver: In order to relieve pressure on the police and the Austrian armed forces, the Government Programme 2020–2024 includes plans for the increased use of technical equipment to protect the internal border, while taking into account data protection issues (Austrian Federal Government, 2020:139). The results of the pilot project with Slovenia initiated in 2020 will provide the basis for further organizational, personnel and technical precautions for the use of drones in the border area (Provincial Police Directorate of Vienna, 2021).</p>	<input checked="" type="checkbox"/> Major <i>The use of drones in the border area was a high political priority in 2021.</i>
<p>Development: In 2021, organized smuggling of migrants was also combated through a number of preventive measures (Mol, 2021j). Multilingual flyers with safety instructions for lorry drivers were given out to provide information on possible hiding places and to give advice on checks before departure and during breaks (Criminal Intelligence Service Austria, n.d.).</p> <p>Objective: To work with freight carriers to strengthen the fight against organized smuggling of migrants (Mol, 2021j).</p> <p>Driver: Practical experience has shown that migrants often use freight transport for irregular border crossings and that concealed transportation poses risks (Mol, 2021j, 2021l).</p>	<input type="checkbox"/> Major

¹⁴³ Developments related to practices are more common in relation to false travel documents than legislative or policy developments. Thus, information on new practices in this area is requested here.

¹⁴⁴ Federal Act Amending the Austrian Passport Act 1992, the Fees Act 1957 and the Act on the Criminal Intelligence Service (Amendment to the Passport Act 2021), FLG No. 839/1992 in the version of federal law FLG I No. 123/2021.

¹⁴⁵ Regulation (EU) 2019/1157 of the European Parliament and of the Council of 20 June 2019 on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement, PE/70/2019/REV/1.

¹⁴⁶ Ibid.

¹⁴⁷ Government Proposal – Explanatory Notes: Amendment to the Passport Act 2021, 860 of the supporting documentation XXVII. Legislative Term. Available at www.parlament.gv.at.

7.2.2 PREVENTION OF IRREGULAR MIGRATION

73. Were there any new developments in legislation, policy or practice¹⁴⁸ responding to the objective of prevention of irregular migration from third countries of origin and transit (e.g. policy decisions to undertake new information campaigns launched, websites, new projects with grass-roots NGOs or involving the diaspora, etc., with the exception of cooperation activities with third countries to be reported in Section 7.2.4) in 2021? Y/N

If yes, please focus on the legal and policy decisions rather than providing a detailed list of projects.

Development including objective and driver	Major development
<p>Development: On 21 and 22 September, an Austrian-initiated workshop entitled “Afghanistan - Joint EU Response in the Field of Migration and Security” was held in Vienna. The European Commission, interested EU Member States and international partners such as United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the International Centre for Migration Policy Development (ICMPD) took part in the event (MoI, 2021t).</p> <p>Objective: The objective was to exchange views on the changing security and migration situation and to discuss measures in Afghanistan and neighbouring countries. The discussions were also designed to contribute to the implementation of the declaration of 31 August 2021 by the EU Ministers of Home Affairs and the EU Action Plan for Afghanistan (MoI, 2021t).</p> <p>Driver: The driver was the situation in Afghanistan.</p>	<input type="checkbox"/> Major
<p>Development: In 2021, the Federal Ministry of the Interior intensified its information campaigns on the risks and dangers of irregular migration, including aspects of trafficking in human beings.¹⁴⁹ On 28 January 2021, the Federal Ministry of the Interior launched an online campaign entitled “Myths about Migration” on social media in the following countries of origin and initial reception: Afghanistan, Egypt, Iraq, Lebanon and Pakistan (MoI, 2021h). On 18 March 2021, the campaign was extended to the transit countries of Serbia and Bosnia and Herzegovina, and on 27 August to Tajikistan.¹⁵⁰ In addition, the Federal Ministry of the Interior is a project partner of two information campaigns financed by the Asylum, Migration and Integration Fund (AMIF), both of which were launched on 1 January 2021: (1) the PARIM campaign in Pakistan, jointly with ICMPD and Bulgaria; and (2) the WBAware campaign for transit migrants in the Western Balkan region, jointly with IOM and Germany.¹⁵¹</p> <p>Objective: The aim is to reduce irregular migration through information campaigns within the framework of a proactive international migration policy. Specific objectives include highlighting the risks of irregular migration, prospects in the regions of origin and the possibilities of voluntary return, as well as creating a fact-based counter-narrative to the misinformation spread by smugglers of migrants.¹⁵²</p> <p>Driver: The motivation for the information campaigns is to counter misinformation around irregular migration both in the countries of origin relevant for Austria and along the migration routes through proactive online communication, and to inform migrants about the possible risks, dangers and consequences.</p>	<input type="checkbox"/> Major

¹⁴⁸ Developments related to practices are more common in relation to prevention of irregular migration than legislative or policy developments. Thus, information on new practices in this area is requested here.

¹⁴⁹ Written input: Federal Ministry of the Interior, Unit I/4/c (Bilateral and Multilateral Affairs) and Department V/7 (Aliens Police), 25 January 2022.

¹⁵⁰ Written input: Federal Ministry of the Interior, Unit V/5/b (International Migration Communication), 25 January 2022.

¹⁵¹ Ibid.

¹⁵² Ibid.

7.2.3 PREVENTION OF IRREGULAR STAY

74. Were there any new legal or policy developments aimed at preventing irregular stay and combatting facilitation of irregular stay, including disincentives and sanctions in 2021? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

7.2.4 COOPERATION WITH THIRD COUNTRIES TO PREVENT IRREGULAR MIGRATION

75. Did your (Member) State establish any NEW cooperation activities with new or existing partner third countries in 2021 to prevent irregular migration in relation to the specific regions outlined below? Y/N	
a) The Western and Southern Mediterranean countries (i.e. Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Mauritania, Palestinian Territories, Syrian Arab Republic and Tunisia)	
<p>Development: Austria has undertaken to finance the establishment of a training centre for border officials in the west of Tunisia. Construction began in 2021 and should be completed by 2023 (Mol, 2021n).</p> <p>Objective: The objective is to improve border security in Tunisia (Mol, 2021n).</p> <p>Driver: The background is a collaborative project between Austria, Denmark and Germany (Mol, 2021n).</p>	<input type="checkbox"/> Major
<p>Development: In December 2021, the Ministry of the Interior signed an agreement with the International Centre for Migration Policy Development to participate in the Training Institute on Migration Capacity Partnership for the Mediterranean (MCP Med). The initial geographical focus of the cooperation is Jordan, Lebanon, Libya, Morocco and Tunisia.¹⁵³</p> <p>Objective: The aim of the initiative is to establish migration partnerships by setting up a permanent and accredited regional training institute with quality-assured and customized learning and coaching experiences in Malta.¹⁵⁴</p> <p>Driver: n/a</p>	<input type="checkbox"/> Major
<p>Development: Austria has been participating since 2021 in a pilot project of the European Asylum Support Office (EASO), now the European Union Asylum Agency (EUAA). The project entitled “Pilot regional capacity-building project to enhance North-South and South-South knowledge exchanges and cooperation on asylum policies and processes” is being implemented within the framework of the Regional Development and Protection Programme for North Africa. An initial regional conference was held on 12 and 13 October 2021 in Egypt (Cairo) with the participation of the Federal Ministry of the Interior and the Federal Office for Immigration and Asylum on the issue of “International protection and persons with specific protection needs in North Africa and Niger”.¹⁵⁵</p> <p>Objective: The regional pilot project aims to create a long-term regional platform and to promote knowledge exchange and cooperation between professionals in the fields of asylum and international protection working in North Africa and participating EU Member States, EU institutions and agencies and international organizations.¹⁵⁶</p> <p>Driver: The background to this development is the need to strengthen protection and reception capacities in host and transit countries.¹⁵⁷</p>	<input type="checkbox"/> Major

¹⁵³ Written input: Federal Ministry of the Interior, Unit V/5/b (International Migration Communication), 25 January 2022.

¹⁵⁴ Ibid.

¹⁵⁵ Written input: Federal Office for Immigration and Asylum, Federal Ministry of the Interior, Department III/1 (Legislation), 26 January 2022.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

b) The Eastern Partnership countries (i.e. Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova, and Ukraine)	
<p>Development: Austria has supported EU Member States along the border with Belarus. First, there have been diplomatic efforts, such as the Belarus Conference in Vienna in November 2021 (Federal Ministry for European and International Affairs, 2021f). Second, 13 officers from Austria's Cobra special unit have assisted in the monitoring of the Lithuania-Belarus border since August 2021 (Federal Ministry for European and International Affairs, 2021d).</p> <p>Objective: The aim is to stabilize the migration situation at the Belarus border (Federal Chancellery, 2021g).</p> <p>Driver: The background to Austria's engagement is the pledge to support EU Member States at the external border (Austrian Federal Government, 2020:127).</p>	<input type="checkbox"/> Major
c) The Western Balkans (i.e. Albania, Bosnia and Herzegovina, Kosovo, ¹⁵⁸ North Macedonia, Montenegro and Serbia)	
<p>Development: For Austria, the Western Balkans are a key area of focus for its cooperation in the field of migration management (MoI, 2021a:3) and relevant activities were further expanded in 2021. The Joint Coordination Platform (JCP) started its activities in 2021 with a focus on the Western Balkan region (see 7.2.5.). A Bosnian delegation visited Austria in June 2021 to discuss the issue of returns in the context of the Readmission Agreement between Bosnia and Herzegovina and Pakistan, which entered into force on 25 July 2021 (MoI, 2021m). Bosnian escort officers were trained through the JCP and participated as observers in a charter return flight (Frontex Joint Return Operation) (MoI, 2021v).¹⁵⁹ In addition, 15 Austrian police officers were sent to the borders between Serbia and North Macedonia and North Macedonia and Greece to support the authorities on the ground (MoI, 2021m). A meeting of the Austrian-led cooperation forum – the Western Balkans Task Force – also took place in November 2021 (Criminal Intelligence Service Austria, 2021e).</p> <p>Objective: The objective is to support the countries of Bosnia and Herzegovina, North Macedonia and Serbia in the prevention of irregular entry (MoI, 2021m).</p> <p>Driver: The motivation is the commitment to support EU Member States at the external border in terms of border protection and control, as well as the foreign policy prioritization of the Western Balkan region (Austrian Federal Government, 2020:127–128).</p>	<input checked="" type="checkbox"/> Major <i>The geographical focus is a key strategic and political decision.</i>
d) Countries in the African Atlantic coast (e.g. Gambia, Ghana, Nigeria, Democratic Republic of the Congo, Côte d'Ivoire, etc.)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
e) Other countries (please describe)	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

7.2.5 MONITORING AND IDENTIFYING IRREGULAR MIGRATION ROUTES

76. Were there any new developments in legislation, policy or practice, ¹⁶⁰ with regard to identifying and/or monitoring irregular migration routes in 2021? Y/N	
Development including objective and driver	Major development
<p>Development: The Joint Coordination Platform (JCP) started its activities on 1 January 2021 and established contacts with the European Commission, EU agencies, interested Member States, international organizations and partners in the Western Balkan region. The JCP focuses on the coordination of existing initiatives and measures against irregular migration along the Eastern</p>	<input checked="" type="checkbox"/> Major <i>The platform has high strategic importance.</i>

¹⁵⁸ References to Kosovo shall be understood in the context of United Nations Security Council resolution 1244 (1999).

¹⁵⁹ Written input: Federal Ministry of the Interior, Joint Coordination Platform, 20 January 2022.

¹⁶⁰ Developments related to practices are more common in relation to identifying and/or monitoring irregular migration routes than legislative or policy developments. Thus, information on new practices in this area is requested here.

Development including objective and driver	Major development
<p>Mediterranean and Western Balkan routes. Ongoing risk and needs analyses, as well as the creation of an overview of migration-related challenges and current security policy developments along the route, enable the rapid identification of requirements and the communication of relevant support options. Route monitoring and analysis is carried out in close cooperation with various departments of the Federal Ministry of the Interior and European agencies (Mol, 2021f:2–3).¹⁶¹</p> <p>Objective: The work of the JCP aims to contribute to the improvement of operational cooperation in regional migration management along the route in the areas of return, border management, asylum and the fight against smuggling of migrants and trafficking in human beings (Mol, 2021f:3).¹⁶²</p> <p>Driver: The background to the establishment of the JCP was the Vienna Declaration on effectively combating irregular migration along the Eastern Mediterranean Route,¹⁶³ adopted at a Ministerial Conference on 22 and 23 July 2020. The JCP received the necessary mandate and guidelines in the course of a further Ministerial Conference held on 23 and 24 June 2021: Prague Declaration on Political Guidelines for the Joint Coordination Platform.^{164,165}</p>	

¹⁶¹ Written input: Federal Ministry of the Interior, Joint Coordination Platform, 20 January 2022.

¹⁶² Ibid.

¹⁶³ Vienna Declaration on effectively combating irregular migration along the Eastern Mediterranean Route (24 July 2020). Available at <https://data.consilium.europa.eu>.

¹⁶⁴ Salzburg Forum Ministerial Conference (23–24 June 2021). Available at <https://data.consilium.europa.eu>.

¹⁶⁵ Written input: Federal Ministry of the Interior, Joint Coordination Platform, 20 January 2022.

8 TRAFFICKING IN ADULT HUMAN BEINGS

Please indicate (Y/N) whether there have been any ***new legal or policy developments in 2021*** relating to any of the areas in Section 8 as indicated below. Please note that this section is relevant to **adult** victims of trafficking in human beings. Updates relating to minor victims are requested under Section 3.1.2. Where a policy development covers both adults and minors, you may enter the relevant information in both sections, or enter the data once under Section 3 and add a cross reference to the relevant question in Section 8.

If Yes, for each development, please:

- ✓ **Briefly describe the development: what changed?**
- ✓ **Describe the objectives¹⁶⁶ and the drivers¹⁶⁷ of the legislative or policy development.**
- ✓ **Flag whether the development was a ‘major’ development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).**
- ✓ **Please include one development per row and add additional rows as required.**
- ✓ **List developments in order of importance. If several developments are deemed equally important, please use a chronological order.**

In order to respond to this section, please ensure that you liaise with the appointed **National Rapporteur or Equivalent Mechanism on Trafficking in Human Beings (NREMs)**. Please note that based on Article 19 of Directive 2011/36/EU the tasks of NREMs include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organizations active in this field, and reporting. In this context, every two years based on Articles 19-20 of Directive 2011/36/EU, Member States report such information to the EU Anti-trafficking Coordinator for the European Commission's Progress Report. The European Commission regularly collects EU-wide statistical data, including with respect to non-EU victims and perpetrators, which is gender- and age specific.

NREMs share information with the Commission (via the informal EU Network of NREMs) on a biannual basis on developments relevant to their national legal and policy framework. Information from the Member States is also available in the European Commission's third progress report on the progress made in the fight against trafficking in human being, the staff working document 2020 and the study on data collection on trafficking in human beings in the EU (2020).¹⁶⁸

8.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

77. Were there any new legal or policy developments regarding the prevention and/or the fight against trafficking in human beings of third-country nationals (e.g. national action plans or national strategies introduced) during 2021? Y/N

Development including objective and driver	Major development
Development: The Council of Ministers adopted the 6th National Action Plan to Combat Trafficking in Human Beings 2021–2023 on 28 July 2021 (Federal Chancellery, 2021a; Federal Ministry for European and International Affairs, 2021b). The main themes of the Action Plan include: (1) strengthening national and international cooperation to combat trafficking in human beings; (2) prevention through education and awareness-raising among different target groups; (3) victim protection and prosecution of perpetrators; and (4) measures in the areas of monitoring and research (Parliamentary Administration, 2021g). In addition, the Working Group against	<input checked="" type="checkbox"/> Major <i>The creation of the National Action Plan is central to determining the strategic direction.</i>

¹⁶⁶ Objective of the development: what is this legal/policy change/development intended to achieve?

¹⁶⁷ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹⁶⁸ European Commission, <https://ec.europa.eu> last accessed 15 November 2021.

Development including objective and driver	Major development
<p>Labour Exploitation, which is part of the Austrian Task Force on Trafficking in Human Beings, published a report on the measures implemented in 2018–2020 (Task Force Menschenhandel, 2021a:17).</p> <p>Objective: The objective is to continue the fight against trafficking in human beings and to adapt to changing conditions (Task Force Menschenhandel, 2021d:5).</p> <p>Driver: The Action Plan sets out the objectives, responsibilities, timeframes and indicators for the national work on combating trafficking in human beings. The National Action Plan 2021–2023 is based on practical experience, recommendations of the working groups and evaluations by international organizations (Parliamentary Administration, 2021g).</p>	
<p>Development: The COVID-19 pandemic has led to new challenges in the area of trafficking in human beings, which have given rise to the need for new measures. The precarious conditions and increased vulnerability to exploitation and trafficking of sex service providers is a prime example here (Criminal Intelligence Service Austria, 2021a:30–31; Task Force Menschenhandel, 2021c, 2021d:32–33). Implementation measures have included multilingual information on financial support services, such as how to apply for the COVID-19 hardship fund (Task Force Menschenhandel, 2021c:38). The Criminal Intelligence Service Austria has also become increasingly aware of the precarious working conditions and risk of exploitation and human trafficking among harvest workers, seasonal workers and care workers (Mol, 2021k). This development is to be counteracted through prevention work, strengthening the legal framework and improving the transparency of supply chains (Parliamentary Administration, 2021g). In 2021, as part of the implementation of the National Action Plan to Combat Trafficking in Human Beings, the Federal Ministry of Social Affairs, Health, Care and Consumer Protection funded three Social Responsibility Network projects¹⁶⁹ that focus on the prevention of labour exploitation in supply chains.¹⁷⁰ In 2021, the Working Group against Labour Exploitation set as one of its priority areas the issue of “seasonal work in agriculture”. The relevant federal ministries, inspection bodies, social partners and reception centres worked together on awareness-raising measures aimed at workers in the agricultural sector; they also participated in the Rights4AllSeasons campaign of the European Labour Authority (Federal Ministry of Labour, 2021b).¹⁷¹ The Federal Ministry of Social Affairs, Health, Care and Consumer Protection also provides long-term funding to the victim protection organization MEN VIA for trafficked males and to the UNDOK contact organization for workers without (or without secure) residence status or with limited access to the labour market who are affected by extreme exploitation. Funding is also given to the Austrian Trade Union Federation’s legal advice services¹⁷² for migrants who find themselves in a precarious social situation.¹⁷³</p> <p>Objective: The objective is to implement countermeasures to mitigate the negative effects of the COVID-19 pandemic as far as possible. These are also taken into account in the National Action Plan 2021–2023 (Parliamentary Administration, 2021g).</p> <p>Driver: Adaptation to changing conditions relating to the COVID-19 pandemic (Task Force Menschenhandel, 2021d:5; Parliamentary Administration, 2021g).</p>	<p>☒ Major <i>The COVID-19 pandemic has had a major impact on (potential) victims of trafficking in human beings.</i></p>

¹⁶⁹ The projects are: (1) “Nachhaltige Lieferketten für erneuerbare Energien” (2021-2022); (2) “Die Auswirkungen der Covid-19-Pandemie auf Arbeitsverhältnisse in globalen Lieferketten” (2020-2022); and (3) “Arbeitsausbeutung in der Lieferkette erfolgreich bekämpfen” (2018-2021).

¹⁷⁰ Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Department V/A/1 (General Issues and Coordination in EU Affairs), 26 January 2022.

¹⁷¹ Written input: Federal Ministry of Labour, 25 January 2022.

¹⁷² Legal advice is provided in Arabic, Bulgarian, Romanian and Russian.

¹⁷³ Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Department V/A/1 (General Issues and Coordination in EU Affairs), 26 January 2022.

8.2 IMPROVING IDENTIFICATION OF AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONAL VICTIMS OF TRAFFICKING IN HUMAN BEINGS

8.2.1 PROVISION OF INFORMATION ON ASSISTANCE AND SUPPORT TO THIRD-COUNTRY NATIONAL VICTIMS

78. Were there any new legal or policy developments in relation to the provision of information and assistance to third-country national victims (including applicants for asylum) in 2021? Y/N	
Development including objective and driver	Major development
a) Training ¹⁷⁴ and awareness-raising ¹⁷⁵	
<p>Development: In the area of prevention, there was a particular focus on education, awareness-raising and sensitization of (potential) victims of trafficking in human beings. Poster campaigns and campaigns on social media and other measures were initiated for this purpose (Parliamentary Administration, 2021g). The National Action Plan 2021–2023 provides for further measures, such as the development of mother-tongue information material and its distribution (Federal Ministry for European and International Affairs, 2021b:28).</p> <p>Objective: The objective is to improve the identification of victims of human trafficking (Parliamentary Administration, 2021g).</p> <p>Driver: The drivers are the priorities in the National Action Plan 2021–2023 (see 8.1).</p>	<input type="checkbox"/> Major
b) Measures on cooperation between national authorities	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Measures on cooperation between (Member) States	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
d) Other	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

8.2.2 IDENTIFICATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS

79. Were there any new legal or policy developments in relation to the detection ¹⁷⁶ and identification ¹⁷⁷ of third-country national victims including applicants for international protection) in 2021? Y/N	
Development including objective and driver	Major development
a) Training and awareness-raising	
<p>Development: During the period 2021–2023, training sessions and events to raise awareness of various aspects of human trafficking are to be intensified among selected professional groups, such as judges, embassy staff, media representatives, schools, diplomatic missions, international organizations and professionals working in the field of migration and asylum (Federal Ministry for European and International Affairs, 2021b:18–22). Training sessions on identifying trafficked persons during the asylum procedure were also an area of focus of the training programme of the Federal Office for Immigration and Asylum in 2021 (Task Force Menschenhandel, 2021d:32).</p>	<input type="checkbox"/> Major

¹⁷⁴ Training in this context refers to the training of professional and other support staff involved in providing information and assistance to third-country national victims.

¹⁷⁵ Awareness-raising in this context refers to raising awareness amongst third-country national victims about the provision of assistance and support.

¹⁷⁶ EMN Glossary definition of detection of (a situation of) trafficking in human beings: the process of identifying a possible situation of trafficking in human beings.

¹⁷⁷ EMN Glossary definition of identification of a victim of trafficking in human beings: The process of confirming and characterising a situation of trafficking in human beings for further implementation of support.

<p>Training sessions in 2021 led by the International Organization for Migration (IOM) Country Office for Austria for staff of the Federal Agency for Reception and Support Services company with limited liability – and in which MEN VIA also actively participates – produced successful results. Numerous suspected cases of trafficked males were reported to MEN VIA, particularly by the Federal Agency’s care service for detainees pending removal.¹⁷⁸ Other training and networking measures also contributed to the identification of trafficked persons, with trade union-related agencies and social workers referring cases of severely exploited workers from various sectors to MEN VIA.¹⁷⁹ In the area of labour inspection, further awareness-raising activities are planned, including in basic training.¹⁸⁰</p> <p>Objective: The objective is to raise awareness and improve the ability to identify trafficked persons.</p> <p>Driver: The drivers are the priorities in the National Action Plan 2021–2023 (see 8.1.).</p>	
<p>Development: The targeted support of trafficked persons in their voluntary and safe return was expanded in 2021. In April 2021, the LEFÖ-IBF (Intervention Center for Trafficked Women) launched a project entitled “Safe Return through Risk Assessment for Trafficked Persons”, which will run until the end of 2022. The risk assessment should be viewed as complementary to the return counselling and the organization of the return by the Federal Agency for Reception and Support Services company with limited liability (see 9.2.1.) and is designed to ensure safe return.¹⁸¹</p> <p>Objective: The objective is to support trafficked third-country nationals in their voluntary and safe return by means of risk assessment and ongoing victim protection before their return. This should subsequently help prevent possible renewed trafficking and other potential human rights violations.¹⁸²</p> <p>Driver: The drivers are the priorities in the National Action Plan 2021-2023 (see 8.1.).</p>	<input type="checkbox"/> Major
b) Measures on cooperation between national authorities	
<p>Development: No significant changes in 2021.</p>	<input type="checkbox"/> Major
c) Measures on cooperation between (Member) States	
<p>Development: Several international anti-trafficking operations took place in 2021 (Joint Action Days). For example, from 31 May to 6 June 2021, targeted operations to combat trafficking for labour exploitation were carried out across Europe (Criminal Intelligence Service Austria, 2021b). From 28 June to 4 July 2021, there were targeted operations to combat child trafficking in Europe (see 3.1.2.) (Criminal Intelligence Service Austria, 2021c). Another operation, organized by Interpol, was Operation Liberterra, which took place from 5 to 8 July 2021 (Federal Ministry for European and International Affairs, 2021b:20–22). From 8 to 12 November, Europe-wide targeted operations took place in various establishments and in the border area (Criminal Intelligence Service Austria, 2021f).</p> <p>Objective: The objective is to identify potential victims of trafficking in human beings, forced labour or labour exploitation as well as to take action against international criminal organizations (Criminal Intelligence Service Austria, 2021b).</p> <p>Driver: The National Action Plan 2021–2023 envisages increased cooperation and coordination between Austria and the EU (Federal Ministry for European and International Affairs, 2021b:20–22; Parliamentary Administration, 2021g).</p>	<input type="checkbox"/> Major
d) Other	

¹⁷⁸ Written input: Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Department V/A/1 (General Issues and Coordination in EU Affairs), 26 January 2022.

¹⁷⁹ Ibid.

¹⁸⁰ Written input: Federal Ministry of Labour, 25 January 2022.

¹⁸¹ Written input: Federal Ministry of the Interior, Unit I/4/c (Bilateral and Multilateral Affairs) and Department V/7 (Aliens Police), 25 January 2022.

¹⁸² Ibid.

<p>Development: In 2021, targeted investigations against trafficking in human beings on the Internet and the Dark Web were strengthened in Austria through the use of modern information technologies (Criminal Intelligence Service Austria, 2021a:33).</p> <p>Objective: The objective is to further improve the identification of potential victims of trafficking in human beings and to take action against criminal networks (Criminal Intelligence Service Austria, 2021a:33).</p> <p>Driver: As a result of COVID-19, online platforms have increasingly become a key element in the planning and execution of criminal activities (Criminal Intelligence Service Austria, 2021a:33).</p>	<input type="checkbox"/> Major
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8.2.3 COOPERATION WITH THIRD COUNTRIES

80. Were there any new legal or policy developments involving cooperation with third countries on the prevention and fight against trafficking in human beings in 2021? Y/N	
Development including objective and driver	Major development
a) Training and awareness-raising	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
b) Joint investigation teams	
Development: No significant changes in 2021.	<input type="checkbox"/> Major
c) Information and prevention campaigns	
Development: See 7.2.2. on information campaigns.	<input type="checkbox"/> Major
d) Other	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

9 RETURN AND READMISSION

Please indicate (Y/N) whether there have been any **new legal or policy developments in 2021** relating to any of the areas in Section 9 as indicated below.

If Yes, for each development, please:

- ✓ Briefly describe the development: what changed?
- ✓ Describe the **objectives**¹⁸³ and the **drivers**¹⁸⁴ of the legislative or policy development.
- ✓ Flag whether the development was a 'major' development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).
- ✓ Please include one development per row and add additional rows as required.
- ✓ List developments in order of importance. If several developments are deemed equally important, please use a chronological order.

9.1 UPDATE ON EMN REG ACTIVITIES AND UPDATE FROM FRONTEX

PLEASE NOTE THAT SECTION 9.1 OF THE SYNTHESIS REPORT WILL CONSIST OF THE FOLLOWING

- 9.1.1 Summary of the EMN REG return and reintegration activities developed during 2021 (to be drafted by the EMN Service Provider)
- 9.1.2 Summary of the Frontex Return Implementation Framework, including Joint Return Operations (JTOs) (To be provided by Frontex)¹⁸⁵

9.2 MAIN NATIONAL DEVELOPMENTS IN THE FIELD OF RETURN

9.2.1 GENERAL LEGAL AND POLICY DEVELOPMENTS IN THE AREA OF RETURN

81. Were there new legal or policy developments in relation to return of irregular migrants and rejected asylum seekers in 2021? Y/N

Development including objective and driver	Major development
<p>Development: Pursuant to Art. 2 para 3 Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, the federal agency has been responsible for return counselling and return assistance since 1 January 2021.¹⁸⁶ The tasks include: (1) clarification during return counselling of the individual's prospects, in particular with regard to the option of voluntary return and the support services available within this context; and (2) in the event of a decision to return voluntarily, return assistance, which is understood to refer to the measures and necessary organizational steps in the course of a voluntary return.¹⁸⁷</p> <p>Objective: The key objective in relation to the launch of the Federal Agency for Reception and Support Services company with limited liability is to be able to guarantee the assurance and quality of all assigned areas of responsibility at the highest level in the interests of the individuals who are cared for, advised and represented (EMN Austria, 2021:10).</p>	<p><input checked="" type="checkbox"/> Major</p> <p><i>The establishment and launch of the Federal Agency for Reception and Support Services company with limited liability were given high political priority and widely debated at national level. This new agency also necessitated</i></p>

¹⁸³ Objective of the development: what is this legal/policy change/development intended to achieve?

¹⁸⁴ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

¹⁸⁵ Please do not include any information related to participation in Frontex joint return operations, as this will be provided by Frontex.

¹⁸⁶ Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, FLG I No. 53/2019.

¹⁸⁷ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

Development including objective and driver	Major development
<p>Driver: The background is the establishment of the Federal Agency for Reception and Support Services company with limited liability in 2019 (see 0 and 2.1.5.).¹⁸⁸</p> <p>Development: Due to an amendment of the Federal Office for Immigration and Asylum Procedures Act,¹⁸⁹ the practice since 1 January 2021 has been to schedule mandatory return counselling interviews at a later stage in the procedures. Previously, return counselling was mandatory in the first instance upon issue of a return decision or upon notification of the intended rejection or dismissal of the application for international protection or cancellation of de facto protection against removal. Since 1 January 2021, return counselling is mandatory when the return decision against the asylum seeker or lawfully resident third-country national becomes final or enforceable or practicable. There are exceptions here, e.g. in the case of illegally resident third-country nationals or accelerated procedures.¹⁹⁰ The possibility of receiving voluntary return counselling at any stage of the procedure has been retained.¹⁹¹</p> <p>Objective: The objective is to achieve a targeted and efficient return counselling interview by waiting until the return decision has legal force and is enforceable or practicable (EMN Austria, 2021:66).</p> <p>Driver: The reason for the legislative amendment was that, up until now, mandatory return counselling was carried out at an earlier stage and often before the appeal procedure. Due to the temporal context, it was necessary in certain cases for reasons of efficiency and practicality to wait for the appeal proceedings and change the timing of the mandatory return counselling (EMN Austria, 2021:66).</p>	<p><i>organizational restructuring.</i></p> <p><input checked="" type="checkbox"/> Major <i>The development was of high strategic importance and necessary from the point of view of efficiency and practicality.</i></p>

9.2.2 ASSISTED VOLUNTARY RETURN

82. Were there any new legal or policy developments with regard to (assisted) voluntary return in 2021? Y/N.	
Development including objective and driver	Major development
<p>Development: On 3 November 2021, a time-limited special initiative entitled "Plus €1,000" was launched in the area of assisted voluntary return. An increased level of return assistance, in addition to the existing financial start-up assistance, is available until 28 February 2022 to foreign nationals who meet the relevant criteria (Federal Agency for Reception and Support Services, 2021; Federal Office for Immigration and Asylum, 2021i).</p> <p>Objective: The objective of the special initiative is to create more awareness of the possibility and offer of assisted voluntary return, to increase the attractiveness of voluntary return and to help foreign nationals to get off to a fresh start in their country of origin by giving increased financial support.¹⁹²</p> <p>Driver: The driving factor is the stronger emphasis given in the Government Programme to voluntary return and reintegration. Voluntary return is a high priority in Austria and has been promoted and developed over the past years, as it is assumed that this is more sustainable and less intervention-intensive for returnees and also supports the structures in the countries of origin.¹⁹³ To this end, opportunities are to be created for returnees so that they have prospects locally in their home country (Austrian Federal Government, 2020:140).</p>	<p><input type="checkbox"/> Major</p>
<p>Development: In the context of (assisted) voluntary return, a "direct mailing" measure (pilot project) for priority countries was among the external mobilization measures in 2021. Persons still</p>	<p><input type="checkbox"/> Major</p>

¹⁸⁸ Federal Act Establishing the Federal Agency for Reception and Support Services Company with Limited Liability, FLG I No. 53/2019.

¹⁸⁹ Federal Act Amending the Settlement and Residence Act, the Asylum Act 2005 und the Federal Office for Immigration and Asylum Procedures Act, FLG I No. 145/2020.

¹⁹⁰ Government Proposal - Explanatory Notes: Federal Act Amending the Settlement and Residence Act, the Asylum Act 2005, and the Federal Office for Immigration and the Asylum Procedures Act, 2020, 349 of the supporting documentation XXVII. Legislative Term. Available at www.parlament.gv.at.

¹⁹¹ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

¹⁹² Written input: IOM Austria, Assisted Voluntary Return and Reintegration Unit, 29 November 2021.

¹⁹³ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

Development including objective and driver	Major development
<p>residing in Austria despite being obliged to leave the country were contacted again and obliged to participate in further return counselling. The mailing was accompanied by information material in the respective national language from the Federal Agency for Reception and Support Services company with limited liability on available support and reintegration services.¹⁹⁴</p> <p>Objective: The measure is intended to motivate persons who are obliged to leave the country, and who have already avoided voluntary return, to comply with this obligation and focuses particularly on incentives to leave.¹⁹⁵</p> <p>Driver: This measure is aimed particularly at foreign nationals for whom forced removal from the country is temporarily not possible or for whom the repatriation process is particularly lengthy.¹⁹⁶</p>	
<p>Development: In order to draw the attention of potential returnees to the issue of voluntary return, a campaign was launched in November 2021 on Facebook and Instagram, which will continue until mid-2022. The campaign is aimed at specifically defined groups of people and includes various text and image material in different languages to encourage successful voluntary return.^{197,198}</p> <p>Objective: The campaign is intended to generate interest on social media in assisted voluntary return and, via direct links, to increase the number of hits on the website www.returnfromaustria.at, as well as to contribute to a significant increase in unprompted contact with the return counselling service run by the Federal Agency for Reception and Support Services company with limited liability.¹⁹⁹</p> <p>Driver: Social media are widely used for networking and serve as a valuable source of information for many people. The campaign follows an integrated communication approach, i.e. people are more likely to be open to information if they have been reached several times through different communication channels, including social media.²⁰⁰</p>	<input type="checkbox"/> Major

¹⁹⁴ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid.

¹⁹⁷ Languages are: Arabic, Farsi, French, Hindi and Russian.

¹⁹⁸ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

9.2.3 REINTEGRATION MEASURES

83. Were there any new legal or policy developments regarding reintegration measures in 2021? Y/N	
Development including objective and driver	Major development
<p>Development: In 2021, reintegration support was offered in up to 30 countries of origin within the framework of four reintegration programmes.²⁰¹ In 2021, three more destinations were included in the reintegration initiative, and in one destination the support services were expanded for new groups of people.²⁰² There was also a pilot project of the European Return and Reintegration Network (ERRIN) in 2021, which offered reintegration support in the Syrian Arab Republic for the first time (pilot project).²⁰³ In addition to classic reintegration support, additional programmes in the field of reintegration were again made available in 2021 within the framework of ERRIN projects, for example for special medical needs and business training.^{204,205}</p> <p>Objective: The fundamental goal is to be able to offer reintegration support in all return-relevant countries. The additional services in the area of reintegration should above all support the sustainability of the return and reintegration process, particularly for vulnerable persons.²⁰⁶</p> <p>Driver: The driving factor is the stronger emphasis given in the Government Programme to voluntary return and reintegration. To this end, opportunities are to be created for returnees so that they have prospects locally in their home country (Austrian Federal Government, 2020:140).</p>	<input type="checkbox"/> Major
<p>Development: In 2021, Austria participated in discussions with the European Border and Coast Guard Agency (Frontex) on the future design of the reintegration programme. The new Frontex mandate²⁰⁷ specifies the reorganization of reintegration activities from ERRIN to Frontex. In addition, a pilot Frontex project on Joint Reintegration Services started in May 2021 with the aim of gaining operational experience for the takeover of ERRIN.²⁰⁸ Austria participated in the project with Armenia as the target destination and was able to support 10 returnees in their return.²⁰⁹</p> <p>Objective: The aim is to ensure the seamless transition of the reintegration programme from ERRIN to Frontex.²¹⁰</p> <p>Driver: The background here is that the ERRIN programme will come to an end in July 2022. The comprehensive reintegration services will in future be taken over by the EU agency in accordance with the new Frontex mandate.²¹¹</p>	<input type="checkbox"/> Major
<p>Development: For the special initiative to support voluntary return and reintegration, see 9.2.2.</p>	<input type="checkbox"/> Major

²⁰¹ The reintegration programmes comprise: European Return and Reintegration Network (ERRIN), Office de l'Immigration et de l'Integration (OFII), RESTART III by the Country Office for Austria of the International Organization for Migration (IOM), IRMA plus II by Caritas Austria. Due to the political developments in Afghanistan, the reintegration programme in Afghanistan within the framework of the project RESTART III by IOM Austria was discontinued in summer 2021 until further notice.

²⁰² The new countries include: Islamic Republic of Iran since February 2021, Egypt since May 2021, and Somalia since September 2021. In Armenia, project requirements have been changed so that non-vulnerable returnees can also receive assistance.

²⁰³ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

²⁰⁴ Since February 2021, cases with special medical needs in all ERRIN countries can be supported with up to EUR 1,800 additional benefit in kind under the MEDRA project. In order to expand the offer for Iraqi returnees, the Sustainable Reintegration Iraq (SRI) project, launched by the Finnish Migration Service, was included in the Mol support programme. The aim is to provide targeted support for returnees in a two-stage business training programme.

²⁰⁵ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

²⁰⁶ Ibid.

²⁰⁷ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, L 295/1. Available at <https://eur-lex.europa.eu> (accessed 10 February 2022).

²⁰⁸ The project period is 1 May 2021 to 31 March 2022. The project will be implemented in Ethiopia, Armenia, Brazil and Ukraine.

²⁰⁹ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

²¹⁰ Ibid.

²¹¹ Ibid.

9.2.4 FORCED RETURN AND DETENTION

84. Were there any new legal or policy developments regarding forced return, detention, alternatives to detention of irregular migrants and rejected asylum seekers in 2021? Y/N	
Development including objective and driver	Major development
a) Forced Return	
<p>Development: Despite the COVID-19 pandemic and associated travel restrictions, there was no fundamental suspension of removals in Austria in 2021. This was in line with the practice of other EU Member States. The authorities liaised closely with partners at EU and international level and made use of synergies in removals from the country (Federal Office for Immigration and Asylum, 2021f). In the case of all removals from the country, in order to contain the COVID-19 pandemic, the security and preventive measures for returnees and escort personnel were adapted to the regulations that were applicable at the time (Federal Office for Immigration and Asylum, 2021h, 2021g). In addition, the security and migration authorities are constantly evaluating the situation and adapting it to current circumstances (Federal Office for Immigration and Asylum, 2021a).</p> <p>Objective: The objective has been to ensure the cooperation of and collaboration with countries of origin regarding return and the associated readmission of persons without a right of residence in Austria (Federal Office for Immigration and Asylum, 2021f).</p> <p>Driver: The challenges caused by the COVID-19 pandemic were the driver.</p>	<p><input checked="" type="checkbox"/> Major <i>The continuation of removals was a high political priority.</i></p>
<p>Development: There were changes during 2021 regarding removals to Afghanistan. In the first half of 2021, removals from Austria to Afghanistan continued to take place (Federal Office for Immigration and Asylum, 2021b, 2021c, 2021d, 2021e). Austria adhered to its decision to continue with removals and to the repatriation agreement until 5 August (Mol, 2021r). After the Taliban came to power, an application for suspensive effect concerning the (continued) detention of an Afghan national in custody pending removal was granted by the Constitutional Court on 18 August (see 9.2.4.b) (Constitutional Court Austria, 2021). In a decision of 30 September 2021, the Constitutional Court overturned, among other things, the issuance of a return decision and the ruling on the permissibility of removal to Afghanistan. The reason given for this decision was the violation of the constitutionally guaranteed right to life as well the right not to be subjected to torture or inhuman or degrading punishment or treatment (Art. 2 and 3 European Convention on Human Rights [ECHR]).²¹²</p> <p>Objective: n/a</p> <p>Driver: The driver was the situation in Afghanistan.</p>	<p><input type="checkbox"/> Major</p>
b) Detention	
<p>Development: On 18 August 2021, the Constitutional Court allowed an application by an Afghan national for suspensive effect regarding the (continuation of) detention pending removal. Against the background of current information about the situation in Afghanistan, the Constitutional Court did not feel that the timely removal of the applicant to his country of origin would be possible. The imposition and maintenance of detention pending removal was therefore not considered proportionate (Constitutional Court Austria, 2021).</p> <p>Objective: The purpose was to examine the lawfulness of the imposition and maintenance of detention pending removal and the accompanying deprivation of liberty (Constitutional Court Austria, 2021).</p> <p>Driver: The complainant had previously brought the matter to the European Court of Human Rights (ECtHR). The ECtHR issued a provisional measure against Austria, suspending the complainant's removal to Afghanistan until 31 August 2021. In its decision of 4 August 2021, the Federal Administrative Court was still of the opinion that the continuation of the detention pending removal was proportionate. An appeal against this decision was filed with the Constitutional Court (Constitutional Court Austria, 2021). On 30 August 2021, the ECtHR</p>	<p><input type="checkbox"/> Major</p>

²¹² Constitutional Court Austria, 30 September 2021, E 3445/2021-8.

announced that the provisional measure in this case would not be extended and that the complaint was declared inadmissible due to the non-exhaustion of domestic legal remedies. ²¹³	
Development: The Austrian Federal Government is working on a legislative amendment of the regulations on coercive detention for application in aliens law and other areas. The proposed amendment to the Administrative Enforcement Act 1991 would adapt coercive detention, specify a maximum permissible total duration of coercive detention and create a new, extended set of legal protection instruments. ²¹⁴ Detention should be threatened and imposed only where and to the extent that this is proportionate with regard to its intended purpose. A relevant example from aliens law is the obligation to cooperate in the procurement of a travel document. ^{215,216} Objective: The purpose is to ensure enforceability in those cases where the imposition of a fine would not be effective as a means of achieving compliance. ²¹⁷ Driver: In its decision of 7 October 2020, ²¹⁸ the Constitutional Court annulled the provisions of the Administrative Enforcement Act concerning detention as a means of coercion (coercive detention) as unconstitutional, which therefore ceased to apply at the end of 31 December 2021. The Federal Government has proposed an amendment to the Administrative Enforcement Act regarding a replacement regulation for coercive detention, ²¹⁹ which is currently in the parliamentary legislative process. ^{220,221}	<input type="checkbox"/> Major
c) Alternatives to detention	
Development: No significant changes in 2021.	<input type="checkbox"/> Major

9.3 COOPERATION WITH THIRD-COUNTRIES OF ORIGIN AND TRANSIT AND IMPLEMENTATION OF EU READMISSION AGREEMENTS

9.3.1 COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT ON RETURN MANAGEMENT AND REINTEGRATION

85. Were there any new legal or policy developments regarding cooperation with third countries in 2021 on return and reintegration management? Y/N	
Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

9.3.2 IMPLEMENTATION OF EU READMISSION AGREEMENTS AND ALTERNATIVE ARRANGEMENTS

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- ²¹³ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.
- ²¹⁴ Parliamentary Administration, *Administrative Enforcement Act, Amendment (1176 d.B.)*. Available at www.parlament.gv.at.
- ²¹⁵ The return travel certificate (laissez-passer) is a replacement travel document required for deportation.
- ²¹⁶ Government Proposal – Explanatory Notes: Amendment of the Administrative Enforcement Act 1991, 2021, 147/ME XXVII. Legislative Term. Available at www.parlament.gv.at.
- ²¹⁷ Brief information on the amendment of the Administrative Enforcement Act 1991, 2021, 147/ME XXVII. Legislative Term. Available at www.parlament.gv.at.
- ²¹⁸ Constitutional Court Austria, 7 October 2020. Verfassungswidrigkeit näher bezeichneter Wortfolgen des VerwaltungsvollstreckungsG betreffend die Beugehaft; Verstoß gegen das Verhältnismäßigkeitsgebot des Rechts auf persönliche Freiheit mangels Festlegung einer Höchstgrenze für die Gesamtdauer der Beugehaft; keine gesetzliche Determinierung näherer Kriterien für eine weitere Verhängung der Beugehaft sowie zur Verhältnismäßigkeitsprüfung der Gesamtdauer, G164/2020 ua.
- ²¹⁹ Brief information on the amendment of the Administrative Enforcement Act 1991, 2021, 147/ME XXVII. Legislative Term. Available at www.parlament.gv.at.
- ²²⁰ Parliamentary Administration, *Administrative Enforcement Act, Amendment (1176 d.B.)*. Available at www.parlament.gv.at.
- ²²¹ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

86. Please report on activities undertaken at national level to support the implementation of EU readmission agreements in 2021 (implementing protocols, cooperation with third countries to encourage implementation) by completing the table and providing any additional relevant information:

EU Readmission agreement (country)	National development (i.e. implementing protocol, cooperation) <u>in 2021 only</u>.
Afghanistan	The "Joint Declaration on Migration Cooperation (JDMC)" was signed between the European Union and Afghanistan on 26 April 2021 as a follow-up agreement to the "Joint Way Forward", which is currently suspended. The Federal Ministry of the Interior (BMI) considers the signing and the subsequent suspension as a significant development in the area of return. ²²²
Azerbaijan	Negotiations on a bilateral implementing protocol with Azerbaijan were continued in written form. The drafting of the implementing protocol was coordinated between the relevant ministers in Austria in 2021. ²²³
Belarus	Due to political developments, the readmission agreement with Belarus, which entered into force at EU level on 1 July 2020, was suspended as of 4 December 2021. ²²⁴

9.4 CROSS-CUTTING DEVELOPMENTS IN RETURN AND REINTEGRATION RELATED TO OTHER THEMATIC SECTIONS OF THE ARM (BORDERS, IRREGULAR MIGRATION AND TRAFFICKING)

87. In previous sections, cooperation with third countries in the field of border management, visa policy, irregular migration and return were addressed. These policies are often interlinked, also with return and reintegration. If applicable, please highlight any links between these dimensions and return and reintegration policy. Please also highlight any links with sustainable development policies.

Development including objective and driver	Major development
Development: No significant changes in 2021.	<input type="checkbox"/> Major

²²² Written inputs: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022 and 9 March 2022.

²²³ Written input: Federal Ministry of the Interior, Unit I/4/b (International Treaties), 26 January 2022.

²²⁴ Written input: Federal Ministry of the Interior, Department V/10 (Return, Reintegration and Quality Development), 26 January 2022.

10 MIGRATION AND DEVELOPMENT COOPERATION

Please indicate (Y/N) whether there have been any ***new developments in 2021*** relating to national actions in the field of migration and development, as indicated below.

To include a development in this section, please ensure that there is an **explicit link** between the migration and development selected.

If Yes, for each development, please:

- ✓ **Briefly describe the development: what changed?**
- ✓ **Describe the objectives²²⁵ and the drivers²²⁶ of the legislative or policy development.**
- ✓ **Flag whether the development was a ‘major’ development and, if so, briefly explain (1-2 sentences) why you consider this a major development (e.g. *strategic development, fundamental policy change, high impact on applicants, political priority, etc.*).**
- ✓ **Please include one development per row and add additional rows as required.**
- ✓ **List developments in order of importance. If several developments are deemed equally important, please use a chronological order.**

88. Were there any new developments aimed at facilitating synergies between migration and development in third countries? Y/N

Please see footnote for examples.²²⁷

Development including objective and driver	Major development
<p>Development: In 2021, Austria continued to provide bilateral humanitarian aid from the Foreign Disaster Fund to support countries in coping with extraordinary crisis situations. For example, money from this fund was used to support the local population, refugees and internally displaced persons as well as their host communities in containing the COVID-19 pandemic in Afghanistan, the Islamic Republic of Iran, Yemen, Jordan, Lebanon, Libya and Tunisia (Federal Ministry for European and International Affairs, 2021a:189). In March 2021, the Federal Government also announced the largest-ever disbursement from the Foreign Disaster Fund of €13.5 million to Austrian non-governmental organizations for the provision of assistance on the ground (Federal Ministry for European and International Affairs, 2021c).</p> <p>Objective: The objective is to increase funding for humanitarian aid to €60 million annually by 2024, quadrupling it compared to the level in 2019. The annual programme for crisis missions by Austrian aid organizations will also increase predictability and continuity (Federal Ministry for European and International Affairs, 2021c).</p> <p>Driver: Bilateral humanitarian aid responds to extraordinary crisis situations, and supports countries in dealing with their consequences, for instance large-scale movements of refugees (Federal Ministry for European and International Affairs, 2021a:189).</p>	<input type="checkbox"/> Major
<p>Development: A motion for a resolution regarding the current situation in Afghanistan was adopted on 14 October 2021. In it, the Federal Government is asked to commit to increased aid on the ground, the continuation of evacuations, respect for human rights and international</p>	<input type="checkbox"/> Major

²²⁵ Objective of the development: what is this legal/policy change/development intended to achieve?

²²⁶ Driver for the development: what were the reasons for enacting this legal/policy change/development? For example, a key driver in 2020 was the COVID-19 pandemic; a potential driver in 2021 could be the situation in Afghanistan.

²²⁷ Examples of such developments could include: New national development strategies, incorporating migration; mainstreaming migration into national development activities; engagement at multilateral level, including new developments in relation to participation in regional consultative processes; policies supporting refugee-host countries such as Regional Development Protection Programmes (RPPs); policies aimed at engaging third country national diaspora in their home countries; policies aimed at reducing the transfer costs of remittances and/or maximising the positive impact of remittances in countries of origin, policy level decisions to participate in EU partnerships/projects (e.g. EU legal migration pilot projects) or policies or projects aimed at building economic opportunities in particular for youth and addressing root causes of irregular migration. Please do not include lists of funded projects.

Development including objective and driver	Major development
<p>coordination.²²⁸ On 8 September, it was decided to grant €18 million in humanitarian aid for Afghan nationals both on the ground in Afghanistan and regionally (see also 2.2.2.). Of this amount, €10 million will go to the Office of the United Nations High Commissioner for Refugees (UNHCR) (Federal Ministry for European and International Affairs, 2021e).</p> <p>Objective: The objective, among other things, is to ensure the targeted use of Austrian aid to support the civilian population (Parliamentary Administration, 2021h).</p> <p>Driver: The driver here is the takeover of power by the Taliban, as well as the humanitarian and security situation in Afghanistan and the region (Parliamentary Administration, 2021f).</p>	
<p>Development: In a parliamentary resolution of 15 December 2021, the Austrian Federal Government was asked to continue to consistently support projects that strengthen women's rights and violence prevention within the framework of Austrian development partnerships and humanitarian aid. The Federal Government is called upon to implement development policy measures that enable national law enforcement agencies to effectively ensure the prosecution of violence against women, such as trafficking in women.²²⁹</p> <p>Objective: The objective in the area of migration and asylum is to support the countries of origin and countries of transit of migrants and refugees at various levels (Federal Ministry for European and International Affairs, 2021a:20).</p> <p>Driver The situation of women and girls is explicitly addressed in all development policy priorities (Federal Ministry for European and International Affairs, 2021a:185).</p>	<input type="checkbox"/> Major

²²⁸ Resolution of the National Council on 14 October 2021 on the current situation in Afghanistan (205/E XXVII. Legislative Term). Available at www.parlament.gv.at.

²²⁹ Resolution of the National Council on strengthening women's rights, including women's health, and protecting women and girls from gender-based violence in ODA and humanitarian aid. Available at www.parlament.gv.at.

11 REFERENCES*

#weiterlernen

2020 Gemeinsam digital durch diese Zeit! Available at <https://weiterlernen.at> (accessed 10 January 2022).

Austrian Federal Government

2020 *Aus Verantwortung für Österreich: Regierungsprogramm 2020 – 2024*. Vienna. Available at www.bundestkanzleramt.gv.at.

Austrian Integration Fund

2020 ÖIF-Bilanz 2020: 45.000 Teilnehmer/innen bei Online-Deutschkursen, über 800.000 Migrant/innen mit mehrsprachigen Corona-Infos erreicht. Press Release, 29 December. Available at www.ots.at (accessed 22 December 2021).

2021a COVID-19: Integrationsbotschafter/innen machen sich für gesellschaftlichen Zusammenhalt stark. Available at www.facebook.com (accessed 22 December 2021).

2021b *Perspektiven Integration: Corona und die Auswirkungen auf Migration und Integration*. Available at www.integrationsfonds.at (accessed 12 November 2021).

2021c Neues ÖIF-Angebot: Täglich online Deutsch lernen für Gastronomie, Hotellerie und Tourismus. Press Release, 8 February. Available at www.ots.at (accessed 25 November 2021).

2021d Neuer ÖIF-Forschungsbericht zur Mediennutzung von Migrant/innen in der Corona-Pandemie. Press Release, 27 March. Available at www.ots.at (accessed 11 November 2021).

2021e Ein Jahr Online-Deutschkurse des ÖIF: 75.000 Teilnehmer/innen. Press Release, 2 April. Available at www.integrationsfonds.at (accessed 12 November 2021).

2021f Neue ÖIF-Online-Deutschkurse zum Berufsfeld Lebensmittelhandel. Press Release, 5 May. Available at www.ots.at (accessed 12 November 2021).

2021g Integration vor Ort stärken: ÖIF fördert ehrenamtliche Integrationsinitiativen in Gemeinden und Regionen. Press Release, 10 June. Available at www.integrationsfonds.at (accessed 12 November 2021).

2021h Integrationsministerin, Integrationsfonds und Gemeindebund: Neues Förderprogramm für ehrenamtliche Integrationsinitiativen. Press Release, 10 June. Available at www.ots.at (accessed 25 November 2021).

2021i „Du bestimmst. Punkt.“ – Neuer Empowerment-Podcast für Mädchen und junge Frauen. Press Release, 9 September. Available at www.ots.at (accessed 11 November 2021).

2021j 10 Jahre Integrationsbotschafter/innen-Initiative ZUSAMMEN:ÖSTERREICH: Neuer Schwerpunkt auf Mädchenförderung. Press Release, 16 September. Available at www.ots.at (accessed 22 December 2021).

2021k ZUSAMMEN:ÖSTERREICH-Schulbesuch mit Frauenrechtsaktivistin Zana Ramadani Neuer Themenschwerpunkt unter dem Motto „Mädchen stärken. Zukunft fördern“. Press Release, 21 September. Available at www.integrationsfonds.at (accessed 22 December 2021).

2021l COVID-19-Impfstraße im ÖIF-Integrationszentrum Wien. Press Release, 24 September. Available at www.integrationsfonds.at (accessed 12 November 2021).

2021m Integrationsministerin Raab zu Besuch bei ÖIF-Impfstraße. Press Release, 8 October. Available at www.integrationsfonds.at (accessed 24 November 2021).

2021n Zusätzliche Impfstationen für Flüchtlinge und Zugewanderte: ÖIF erweitert Angebot aus. Press Release, 15 November. Available at www.integrationsfonds.at (accessed 24 November 2021).

2021o ÖIF-Jugendbroschüre: „Nicht OK!“ zeigt Formen von Gewalt auf und stärkt Mädchen in ihrer Selbstbestimmung. Press Release, 3 December. Available at www.ots.at (accessed 23 December 2021).

2022 Neues Kursmodul zu Antisemitismus in den ausgebauten Werte- und Orientierungskursen des ÖIF. Press Release, 24 January. Available at www.integrationsfonds.at (accessed 25 January 2022).

Austrian Ombudsman Board

2021 Volksanwalt Rosenkranz empfängt Delegation der Wiener MA 35 und Magistratsdirektion. Press Release, 14 June. Available at <https://volksanwaltschaft.gv.at> (accessed 10 November 2021).

* All hyperlinks provided were operating at the time of publication.

Austrian Press Agency

- 2021 Integrationsministerin Raab: Kampf gegen Antisemitismus auch unter Zugewanderten und Flüchtlingen intensivieren. Press Release, 21 January. Available at www.ots.at (accessed 25 November 2021).

Commission on the Best Interests of the Child

- 2021 *Bericht der unabhängigen Kommission für den Schutz der Kinderrechte und des Kindeswohls im Asyl- und Fremdenrecht.* Available at www.bmj.gv.at.

Constitutional Court Austria

- 2021 Aufschiebende Wirkung für Beschwerde eines Afghanen in Schubhaft. Press Release, 18 August. Available at www.vfgh.gv.at (accessed 25 November 2021).

Council of the European Union

- 2021 Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in 2019 - 2020 thematic evaluation of Member States' national strategies for integrated border management. Available at <https://data.consilium.europa.eu>.

Criminal Intelligence Service Austria

- 2021a *Lagebericht Schlepperei und Menschenhandel 2020.* Vienna. Available at www.bundeskriminalamt.at.
- 2021b Joint Aktion Days zur Bekämpfung der Arbeitsausbeutung. Press Release, 16 June. Available at www.bundeskriminalamt.at (accessed 22 December 2021).
- 2021c Schwerpunktaktion gegen Kinderhandel. Press Release, 16 July. Available at www.bundeskriminalamt.at (accessed 22 December 2021).
- 2021d Erster Wirtschaftstag: Integrierter Grenzschutz und neue Technologien. Press Release, 29 September. Available at www.bundeskriminalamt.at (accessed 22 December 2021).
- 2021e Bundeskriminalamt organisiert Treffen der Schlepper-Ermittler. Press Release, 25 November. Available at www.bundeskriminalamt.at (accessed 22 December 2021).
- 2021f 16 Opfer von Menschenhandel in Österreich identifiziert. Press Release, 26 November. Available at www.bundeskriminalamt.at (accessed 23 December 2021).
- n.d. Sicherheitshinweise für LKW-Fahrer. Available at www.bundeskriminalamt.at.

Der Standard

- 2021 Die stilleren Abschiebungen von Sona und Ashot, 30 January. Available at www.derstandard.at (accessed 22 December 2021).

EMN Austria

- 2021 *Annual Report 2020 on Migration and Asylum in Austria: Contribution to the Commission and EASO Annual Reports.* Available at www.emn.at.

European Commission

- 2016 Revision of the Posting of Workers Directive – frequently asked questions. Available at <https://ec.europa.eu> (accessed 22 December 2021).
- 2021 Member States' notifications of the temporary reintroduction of border control at internal borders pursuant to Article 25 and 28 et seq. of the Schengen Borders Code. Available at <https://ec.europa.eu>.

Expert Council for Integration

- 2020 *Positionspapier des Expertenrats für Integration zur Corona-Krise.* Available at www.bundestkanzleramt.gv.at.
- 2021 *Integration im Kontext der Corona-Pandemie: Integrationsbericht 2021.* Available at www.bundestkanzleramt.gv.at (accessed 11 March 2021).

Federal Agency for Reception and Support Services

- 2021 Return from Austria: Additional Bonus - Return now, start with assistance! Available at www.returnfromaustria.at (accessed 22 December 2021).

Federal Chancellery

- 2020 Raab/Aschbacher: "Deutschkurse für Flüchtlinge und Migranten aus einer Hand". Press Release, 18 June. Available at www.bundestkanzleramt.gv.at (accessed 22 December 2021).
- 2021a 68. Ministerrat am 28. Juli 2021 - Ministerratsbeschlüsse. Available at www.bundestkanzleramt.gv.at (accessed 3 November 2021).

- 2021b *Nationale Strategie gegen Antisemitismus*. Vienna. Available at www.bundeskanzleramt.gv.at.
- 2021c Integrationsministerin Raab: Offensive gegen Antisemitismus im Kontext von Integration. Press Release, 15 February. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021d Ministerin Raab zu Integrationsbarometer: „Trotz Corona macht sich jeder Zweite Sorgen über die Integration“. Press Release, 15 April. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021e Frauen- und Integrationsministerin Raab: Neue Initiativen im Kampf gegen Gewalt an Frauen. Press Release, 4 June. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021f Integrationsministerin Raab: Comeback der Integration mit Fokus auf Arbeitsmarkt, Wertevermittlung und deutsche Sprache. Press Release, 10 June. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021g Europaministerin Edtstadler: EU-Außengrenzen schützen und klare Solidarität mit Baltikum. Press Release, 15 September. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021h Integrationsministerin Raab: Europäischer Schulterchluss gegen den politischen Islam. Press Release, 28 October. Available at www.bundeskanzleramt.gv.at (accessed 22 December 2021).
- 2021i Bundesministerin Raab: Werte- und Orientierungskurse werden ab 2022 deutlich ausgebaut. Press Release, 9 November. Available at www.bundeskanzleramt.gv.at (accessed 12 November 2021).
- n.d. Informationsangebot der Bundesregierung zum Brexit. Available at www.bundeskanzleramt.gv.at (accessed 1 March 2022).

Federal Ministry for European and International Affairs

- 2021a *Außen- und Europapolitischer Bericht 2020*. Available at www.parlament.gv.at.
- 2021b *Nationaler Aktionsplan zur Bekämpfung des Menschenhandels für die Jahre 2021-2023*. Available at www.bundeskanzleramt.gv.at (accessed 11 March 2021).
- 2021c Größte AKF-Auszahlung für Arbeit österreichischer NGOs für Hilfe vor Ort. Press Release, 17 March. Available at www.bmeia.gv.at (accessed 22 December 2021).
- 2021d Außenminister Schallenberg in Vilnius: „Stehen Litauen bei, auch in Zeiten der Krise“. Press Release, 24 August. Available at www.bmeia.gv.at (accessed 22 December 2021).
- 2021e Humanitäre Hilfe für Afghaninnen und Afghanen vor Ort: ein Gebot der Stunde. Press Release, 8 September. Available at www.bmeia.gv.at (accessed 22 December 2021).
- 2021f Für eine prosperierende und sichere Zukunft: Bundeskanzler Schallenberg und Außenminister Linhart eröffnen internationale Konferenz zur Lage in Belarus. Press Release, 22 November. Available at www.bmeia.gv.at (accessed 23 December 2021).

Federal Ministry of Agriculture, Regions and Tourism

- 2021a Neue Stammsaisonierregelung schafft Planungssicherheit. Available at <https://info.bmlrt.gv.at>.
- 2021b Köstinger begrüßt freien Grenzverkehr zwischen Bayern und Österreich. Press Release, 12 May. Available at www.ots.at (accessed 24 November 2021).

Federal Ministry of Justice

- 2021 Beantwortung der parlamentarischen Anfrage betreffend „Berücksichtigung der Kinderrechte im Bereich des Asylrechts und in Asyl- und Bleiberechtsverfahren“ 3615/AB-BR/2021 vom 15. September 2021 zu Nr. 3903/J-BR/2021(XXVII. GP). Available at www.parlament.gv.at.
- n.d. Kindeswohlkommission. Available at www.bmj.gv.at (accessed 11 March 2021).

Federal Ministry of Labour

- 2021a Beantwortung der parlamentarischen Anfrage betreffend „Zulassung von Asylwerbern zu Beschäftigung“ 8137/AB vom 15. Dezember 2021 zu Nr. 8291/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021b Rechte haben immer Saison: Kampagne der Europäischen Arbeitsbehörde (ELA) zur Saisonarbeit in der Landwirtschaft. Available at www.bma.gv.at.
- 2021c Landarbeitsgesetz tritt mit 1. Juli in Kraft: Einheitliche Regelungen für 30.000 Beschäftigte. Press Release, 1 July. Available at www.ots.at (accessed 13 December 2021).
- 2021d Arbeitsministerium schickt Fachkräfteverordnung 2022 in Begutachtung. Press Release, 3 December. Available at www.ots.at (accessed 13 December 2021).

Federal Ministry of Social Affairs, Health, Care and Consumer Protection

- 2020a *COVID-19: Analyse der sozialen Lage in Österreich*. Available at www.sozialministerium.at.

- 2020b Jobverlust, Obdachlosigkeit und Armut: Anschöber warnt vor sozialer Krise als Folge von Corona. Press Release, 28 May. Available at www.ots.at (accessed 22 December 2021).
- 2021a Beantwortung der parlamentarischen Anfrage betreffend „Asylwerber in Pflegeausbildung“ 5272/AB vom 9. April 2021 zu Nr. 5302/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021b Corona-Schutzimpfung - Häufig gestellte Fragen. Available at www.sozialministerium.at (accessed 22 December 2021).
- 2021c COVID-19 Armutsbekämpfung 2021. Available at www.sozialministerium.at (accessed 22 December 2021).
- 2021d *Sonderrichtlinie „COVID-19 Armutsbekämpfung“*. Available at www.sozialministerium.at.
- 2021e Gesundheitsministerium: Seit heute verpflichtende elektronische Registrierung vor der Einreise nach Österreich. Press Release, 15 January. Available at www.ots.at (accessed 22 December 2021).
- 2021f Gesundheitsministerium: Neue Novelle der Einreise-Verordnung verstärkt Schutz. Press Release, 3 February. Available at www.ots.at (accessed 22 December 2021).
- 2021g Mückstein: Novellierte Einreiseverordnung bringt 3-G-Regel statt Quarantäne für zahlreiche Staaten. Press Release, 17 May. Available at www.ots.at (accessed 22 December 2021).
- 2021h Gesundheitsminister: Svaka vakcinacija vrijedi! – Jede Impfung zählt! Press Release, 6 August. Available at www.ots.at (accessed 22 December 2021).
- 2021i Gesundheitsminister Mückstein lernt für Impfpapier noch weitere Sprachen. Press Release, 18 August. Available at www.ots.at (accessed 22 December 2021).
- 2021j Mückstein: Bildung der Kinder darf keine Einkommensfrage der Eltern sein. Press Release, 31 August. Available at www.ots.at (accessed 22 December 2021).
- 2021k Verschärfungen bei der Einreise nach Österreich wegen neuer Virusvariante. Press Release, 26 December. Available at www.ots.at (accessed 23 December 2021).

Federal Ministry of the Interior (Moi)

- 2020a BREXIT/Aufenthaltsrechtliche Auswirkungen. Available at www.bmi.gv.at.
- 2020b Umsetzung der BBU: Einigung zwischen BMI und BMJ. Press Release, 26 February. Available at <https://bmi.gv.at> (accessed 23 December 2021).
- 2021a Beantwortung der parlamentarischen Anfrage betreffend „Push-Backs an den EU-Außengrenzen“ 4715/AB vom 19.02.2021 zu 4730/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021b Beantwortung der parlamentarischen Anfrage betreffend „Empfehlungen der Kindeswohlkommission und Alternativbericht des BMI“ 8229/AB vom 22.12.2021 zu 8321/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021c Beantwortung der parlamentarischen Anfrage betreffend „Evaluierung der Asyl- und Fremdenrechtsstatistik des BMI“ 7870/AB vom 23.11.2021 zu 8038/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021d Beantwortung der parlamentarischen Anfrage betreffend „Grenzkontrollen an der Grenze Österreich – Slowakei“ 7251/AB vom 08.09.2021 zu 7299/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021e Beantwortung der parlamentarischen Anfrage betreffend „Legale Fluchtwege für besonders gefährdete Personen aus Afghanistan“ 7581/AB vom 29.10.2021 zu 7722/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021f Beantwortung der parlamentarischen Anfrage betreffend „Sinn und Zweck von einem „Koordinationszentrum für Migration““ 5622/AB vom 05.05.2021 zu 5655/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021g Beantwortung der parlamentarischen Anfrage betreffend „Systematische Anwendung von illegalen Push-Backs an österreichischer Südgrenze“ 7881/AB vom 23.11.2021 zu 8039/J (XXVII. GP). Available at www.parlament.gv.at.
- 2021h Myths about migration. Available at www.myths-about-migration.info (accessed 25 January 2022).
- 2021i Schwerpunktaktionen gegen illegale Migration und Schlepperei. Press Release, 28 February. Available at www.bmi.gv.at (accessed 22 December 2021).
- 2021j Nehammer: Zusammenarbeit im Kampf gegen Schlepperei. Press Release, 12 March. Available at www.bmi.gv.at (accessed 22 December 2021).
- 2021k Nehammer: 2020 wurden 30 Prozent mehr Schlepper festgenommen – Schlepper nutzen Angst der Menschen vor Pandemie. Press Release, 25 March. Available at www.ots.at (accessed 22 December 2021).
- 2021l Nehammer: Drohnenankauf und enge Zusammenarbeit mit Westbalkan-Staaten im Kampf gegen Schlepperei. Press Release, 28 March. Available at <https://bmi.gv.at> (accessed 21 December 2021).
- 2021m Nehammer: „Rechtsextremismus und Radikalislamismus gleichermaßen gefährlich“. Press Release, 3 June. Available at <https://bmi.gv.at> (accessed 22 December 2021).

- 2021n Nehammer in Dänemark: Blick auf sozialen Frieden im Land richten. Press Release, 16 June. Available at www.bmi.gv.at (accessed 21 December 2021).
- 2021o Nehammer: Polizei setzt strategische Maßnahmen gegen "Hate Crime". Press Release, 21 July. Available at www.ots.at (accessed 22 December 2021).
- 2021p Nehammer, Tanner: Polizei und Bundesheer verstärken gemeinsamen Grenzschutz. Press Release, 24 July. Available at www.ots.at (accessed 15 November 2021).
- 2021q Vorstellung des neuen Personalausweises und des "CHECK-AT"-Services. Press Release, 30 July. Available at www.bmi.gv.at (accessed 21 December 2021).
- 2021r Österreich für Einhaltung der Rückführungs-Vereinbarung mit Afghanistan. Press Release, 5 August. Available at www.bmi.gv.at (accessed 21 December 2021).
- 2021s Schwerpunktaktion gegen illegale Migration im Burgenland. Available at www.bmi.gv.at (accessed 22 December 2021).
- 2021t BMI: EU-Workshop zu Migrations- und Sicherheitsaspekten im Zusammenhang mit dem Machtwechsel in Afghanistan. Press Release, 21 September. Available at www.ots.at (accessed 11 November 2021).
- 2021u Nationaler Joint Action Day (NJAD) gegen Hate Crime. Press Release, 18 November. Available at www.ots.at (accessed 23 December 2021).
- 2021v Erstmals Charteroperation mit bosnischer Beteiligung. Available at <https://bmi.gv.at> (accessed 25 January 2022).

Federal Office for Immigration and Asylum

- 2021a FRONTEX-Charteroperation nach Albanien und Kosovo durchgeführt. Press Release, 15 January. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021b FRONTEX-Charteroperation nach Afghanistan durchgeführt. Press Release, 24 February. Available at www.bfa.gv.at (accessed 21 December 2021).
- 2021c FRONTEX-Charteroperation nach Afghanistan durchgeführt. Press Release, 31 March. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021d FRONTEX-Charteroperation nach Afghanistan durchgeführt. Press Release, 19 May. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021e FRONTEX-Charteroperation nach Afghanistan durchgeführt. Press Release, 16 June. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021f FRONTEX-Charteroperation nach Nigeria durchgeführt. Press Release, 22 September. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021g Österreich organisiert FRONTEX-Charteroperation nach Russland. Press Release, 29 September. Available at www.bfa.gv.at (accessed 22 December 2021).
- 2021h Österreich organisiert Charter für PCR-Testverweigerer nach Nigeria. Press Release, 14 October. Available at www.bfa.gv.at (accessed 21 December 2021).
- 2021i Sonderaktion 'Plus 1000 €' für die freiwillige Rückkehr. Press Release, 10 November. Available at www.bfa.gv.at (accessed 10 December 2021).

Fuchs, W.

- 2021 *Hate Crime in Österreich: Konzept, Rechtsrahmen, Datengrundlagen, Verbreitung und Auswirkungen von vorurteilsmotivierten Straftaten*. Pilotbericht, Projekt HC-POL-DATA. Institute for the Sociology of Law and Criminology, Vienna. Available at www.bmi.gv.at.

Fussenegger, T.

- 2021 *Beraten, betreuen, unterstützen*. Öffentliche Sicherheit, 5-6/21. Available at www.bmi.gv.at.

Humer, L. and A. Spiegelfeld

- 2020 *Seasonal Workers from Third Countries in Austria: National EMN Report*. IOM Austria. Available at www.emn.at.

Kohlenberger, J., M. Weigl, S. Gaiswinkler, I. Buber-Ennsner and B. Rengs

- 2021 *COVID-19 und Migrationshintergrund: Erreichbarkeit, Umgang mit Maßnahmen und sozioökonomische Herausforderungen von Migrant/inn/en und Geflüchteten*. Vienna University of Economics and Business; Austrian National Public Health Institute; Federal Ministry of Social Affairs, Health, Care and Consumer Protection. Available at www.sozialministerium.at.

Melichar, R.

- 2021 *2.400 Vorurteilsmotive erfasst*. Öffentliche Sicherheit, 9-10/21. Available at www.bmi.gv.at.

migration.gv.at

n.d. Dauerhafte Zuwanderung. Available at www.migration.gv.at (accessed 23 December 2021).

ORF

2021 Neues einheitliches System für alle Deutschkurse ab 2021, 18 June. Available at <https://orf.at> (accessed 22 December 2021).

Ortner, D.

2021 *Sichere Reisedokumente*. Öffentliche Sicherheit, 9-10/21. Available at www.bmi.gv.at.

Parliamentary Administration

2021a Empfehlungen der Kindeswohlkommission und Alternativbericht des BMI. Available at www.parlament.gv.at (accessed 27 January 2022).

2021b Innenausschuss: Debatte über Migrations- und Asylthemen. Press Release, 16 March. Available at www.parlament.gv.at (accessed 10 November 2021).

2021c Neu im Innenausschuss. Sicherheit für Personalausweise und Reisepässe, Entziehung von Staatsbürgerschaft und Lenkberechtigung, Erweiterung Symbole-Gesetz. Press Release, 26 May. Available at www.parlament.gv.at (accessed 25 November 2021).

2021d Neu im Innenausschuss. Frauenmorde: Daten an Interventionsstellen, Aktionsplan gegen Rechtsextremismus, COVID-19-Regelungen Fremdenrecht. Press Release, 31 May. Available at www.parlament.gv.at (accessed 25 November 2021).

2021e Innenausschuss gibt grünes Licht für ersten Teil des Anti-Terror-Pakets. Press Release, 2 June. Available at www.parlament.gv.at (accessed 25 November 2021).

2021f Bericht des Ausschusses für Menschenrechte über den Antrag 1928/A(E) der Abgeordneten Dr. Gudrun Kugler, Dr. Ewa Ernst-Dziedzic, Kolleginnen und Kollegen betreffend die aktuelle Situation in Afghanistan. Available at www.parlament.gv.at.

2021g Bekämpfung des Menschenhandels: Besondere Herausforderungen durch COVID-19-Pandemie. Press Release, 11 October. Available at www.parlament.gv.at (accessed 22 December 2021).

2021h Nationalrat setzt sich für Schutz von unbegleiteten minderjährigen Flüchtlingen ein. Press Release, 14 October. Available at www.parlament.gv.at (accessed 24 November 2021).

2021i Maßnahmenpaket zur Terrorismusbekämpfung und gegen Frauenmorde passiert Innenausschuss. Press Release, 20 October. Available at www.parlament.gv.at (accessed 25 November 2021).

2021j Sozialausschuss beschließt Erleichterungen für Saisonarbeitskräfte, die Stammpersonal sind. Press Release, 2 December. Available at www.parlament.gv.at (accessed 23 December 2021).

2021k Hauptausschuss genehmigt kleine Feiertagszusammenkünfte auch ohne 2G-Nachweis. Press Release, 20 December. Available at www.parlament.gv.at (accessed 23 December 2021).

2021l Bundesrat gibt grünes Licht für Sommerschule. Press Release, 21 December. Available at www.parlament.gv.at (accessed 23 December 2021).

Provincial Police Directorate of Vienna

2021 Kampf gegen illegale Migration. Press Release, 26 January. Available at www.polizei.gv.at (accessed 22 December 2021).

Public Employment Service

2021a Eröffnung des U25. Available at www.ams.at (accessed 22 December 2021).

2021b Höchste Zeit, die Ausbildungswege für Herbst zu planen! Press Release, 2 August. Available at www.ots.at (accessed 22 December 2021).

Stadt Wien

2021a Impfen ohne Termin: Impfbus, Hallenbäder, Kinderimpfung etc. Available at <https://coronavirus.wien.gv.at> (accessed 25 February 2022).

2021b U25 unterstützt Jugendliche bei Arbeit, Bildung, und Sozialem. Available at www.wien.gv.at (accessed 25 February 2022).

2021c Wien bekommt eine neue Servicestelle für qualifizierte Fachkräfte aus dem Ausland: Das Business Immigration Office. Press Release, 30 June. Available at www.ots.at (accessed 10 November 2021).

2021d Eröffnung Business Immigration Office. Press Release, 13 October. Available at www.ots.at (accessed 25 November 2021).

Task Force Menschenhandel

- 2021a *Arbeitsgruppe gegen Menschenhandel zum Zweck der Arbeitsausbeutung im Rahmen der österreichischen Task Force Menschenhandel Bericht für die Jahre 2018 – 2020*. Available at www.parlament.gv.at.
- 2021b *Bericht 2018-2020 der Arbeitsgruppe gegen Kinderhandel (AG-KH) im Rahmen der Task Force Menschenhandel (TF-MH): "Prävention von Kinderhandel und Schutz der Opfer von Kinderhandel"*. Available at www.parlament.gv.at.
- 2021c *Regelung der Prostitution in Österreich: Empfehlungen der Arbeitsgruppe „Prostitution“ im Rahmen der Task Force Menschenhandel*. Available at www.bundeskanzleramt.gv.at.
- 2021d *Umsetzung des Nationalen Aktionsplans zur Bekämpfung des Menschenhandels 2018-2020*. Available at www.parlament.gv.at.

Vienna Business Agency

- 2021 Business Immigration Office eröffnet! Press Release, 13 October. Available at <https://wirtschaftsagentur.at> (accessed 24 November 2021).

