



# SHARE

Building a resettlement network for European municipalities, cities and regions [www.resettlement.eu](http://www.resettlement.eu)

## THE SHARE PROJECT

The SHARE network will facilitate structured dialogue and exchange of expertise between experienced resettlement countries planning or considering resettlement.

With a worldwide membership, staff and operations working with migrants and refugees in more than 40 countries, ICMC Serves and protects uprooted people - refugees, internally displaced persons and migrants - regardless of faith, race, ethnicity or nationality.

Since its creation in 1951, ICMC has identified and accompanied one million refugees for resettlement. Additionally, ICMC provides expert resettlement personnel through the ICMC-UNHCR Resettlement Deployment Scheme to support UNHCR resettlement activities in field offices around the world.



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## SHARE Project Country Profile: AUSTRIA

Submitted by the  
Austrian Red Cross in December 2013

### 1. Governance

Austria is divided into 9 federal provinces ('*Bundesländer*'), 2357 municipalities ('*Gemeinden*') and 15 cities with special statute (see map below). Austria is governed by a parliament which has two chambers, the National Council ('*Nationalrat*') and the Federal Council, who jointly represent the legislative power.

The Nationalrat is elected every 5 years, and the last elections took place in September 2013. Currently in power is a coalition of the Austrian Social Party (SPÖ) and the Austrian People's Party (ÖVP). The electoral period of the municipal councils varies from between 5 to 6 years, as there are different legal regulations in each federal province governing elections.

Vienna has a special status, being a federal province and also a municipality (as Berlin in Germany). The next round of elections in Vienna, currently governed by a coalition of the Austrian Socialist Party and the Green Party, are due in 2015, together with those in the federal provinces of Burgenland, Styria and Upper Austria. Federal elections elect both the local federal parliament ('*Landtag*') and the political make-up of the municipalities.





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## 2. Regional government

Austrian federal provinces ('*Bundesländer*') have their own constitutions, and the distribution of competences between the federal state and the federal provinces is enshrined in the Austrian federal constitution. The main competences of the federal provinces are the execution of provincial law ('*Landesgesetze*'), enforcing executive law for the municipalities and a range of regional development functions.

## 3. Local government

Austria has a history of strong local government. The principle of self-government at the local level within specific areas of competences is enshrined in the Austrian Constitution. The 2372 municipalities vary in size - from less than 100 to more than 1.7 million inhabitants (Vienna) - although are considered as equal in terms of legal status and governance responsibility.

Municipalities are responsible for a wide range of functions, including:

- Managing the municipal administration
- Housing - Vienna is the largest property manager in Europe, managing and maintaining more than 220,000 properties in which 25% of the Viennese live. Elsewhere in Austria municipalities run a moderate number of social flats only.
- Pre-school and primary level education.
- Social welfare.
- Planning, building and market authority, administration of roads and traffic regulations.
- Welfare services for young people.
- Waste management, water and energy.
- Leisure activities.
- Delegated duties from the central government - enforcement of federal and provincial law, realisation of federal and provincial elections and others.

There are 2 organisations that represent the interests of the cities and municipalities - the Austrian Association of Cities and Towns ('*Österreichischer Städtebund*') and the Austrian Association of Municipalities ('*Österreichischer Gemeindebund*'). Both organisations are embodied in the Austrian Constitution and are partners in the governmental negotiations for the distribution of funds to local government authorities. They also represent Austrian cities and municipalities in relations with international organisations and at international fora.

Financial resources are distributed by the central government to municipalities using a numerical key based on the number of inhabitants in each municipal area. A part of the allotted resources (12.7% ) is retained by the federal states in case of unexpected needs. Financially



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weak municipalities can receive additional budget if needed, for example to build new schools or kindergartens.

#### 4. Migration: an overview

According to 2012 data produced by the Austrian Statistical Institute, Austria has a total population of 8.4 million. 11.5% are foreign nationals and 18.9% of the whole population are classified as being of a migratory background (being either foreign nationals or naturalised Austrians with both parents born abroad).

Austria's modern experience with migration began in the 1960s, when the flourishing Austrian economy boosted by the Marshal Plan needed more employees to secure its economic growth. The Austrian government adopted recruitment agreements with both the former Yugoslavia and Turkey, and the number of foreign nationals resident in Austria has grown consistently ever since, from 1.4% of the overall population in 1961 to 11.5% in 2011.

There was no integration programme for these so called '*Gastarbeiter*' ('guestworkers'), as the expectation was that they would stay for a period of a few years in Austria for work purposes in Austria before returning to their home country. However, most of them stayed in Austria and many brought their family members to join them. The grandchildren of these first guest workers are not considered migrants anymore, if their parents were either born in Austria or acquired Austrian nationality.

In the 1990s, after the fall of the Iron Curtain, migration from the countries of the former Eastern bloc contributed to a substantial rise in immigration. Approximately two-thirds of migrants (523,000) currently living in Austria are from EU countries, with the remainder from third countries outside the EU. The second largest group are migrants from the former Yugoslavia (512,000, excluding Slovenia), and the third largest group are migrants of Turkish origin (282,000).

Today family reunification is the most common cause of migration to Austria from countries outside of the EU. The number of asylum applications lodged in Austria reached a peak in 2002 (39,354 applications) decreased slightly in the period to 2008, and has risen slightly since (to 14,416 applications in 2011 and 17,415 applications in 2012).



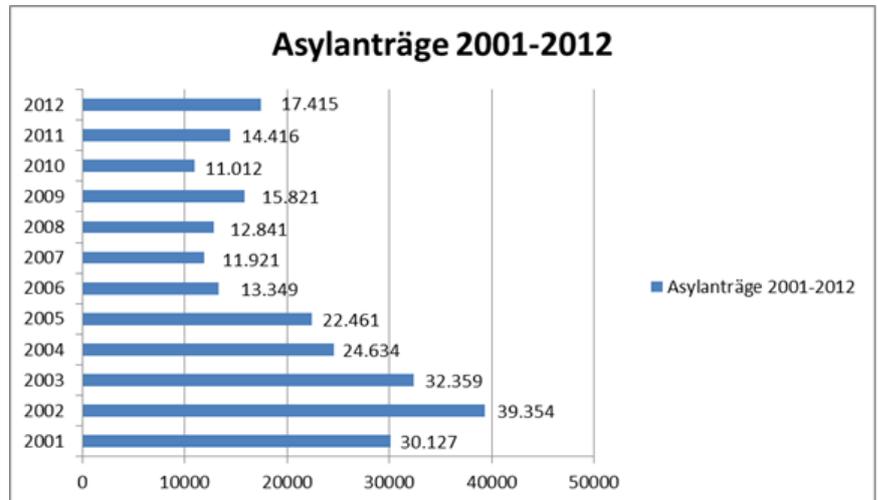
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Graphic: Statistik Austria

The most common countries of origin of asylum seekers in Austria are the Russian Federation and Afghanistan.

For the period 2001-11, 36,782 persons were granted asylum (without subsidiary protection), the majority from the Russian Federation (15,953) and Afghanistan (5,746), followed by Iran (2,746) and Serbia, Kosovo and Montenegro (2,060).

## 5. Asylum

### • Refugee status determination

Austria's federal structure is reflected in its immigration policy: immigration is generally the competence of the federal state, however the governments of the federal provinces are, for example, involved in setting the annual quotas for specific categories of residence title to be issued in the respective year in each province. They are also involved in the issuance of settlement and residence permits.

Refugee status determination (RSD) is a competence of the federal government. The Federal Asylum Office in the Federal Ministry of the Interior is the first instance in asylum proceedings. The Asylum Court is an independent court and hears appeals against decisions of the Federal Asylum Office. From 1st January 2014, the Federal Asylum Office will be replaced by the Federal Office for Aliens' Affairs & Asylum, responsible for certain legal proceedings for aliens. The Administrative High Court will become the highest and final power in asylum and alien law matters.

In the first instance the asylum application is examined to determine if Austrian asylum law ('Zulassungsverfahren') is applicable according to the Dublin Regulation. If the assessment is positive, the case is admitted to the regular asylum procedure.



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- **Support for asylum seekers**

Asylum applicants for whose cases Austrian asylum law is applicable are granted basic support ('*Grundversorgung*'). The federal provinces, funded by the federal government, are responsible for arranging accommodation and a daily financial allowance to cover basic living costs for eligible asylum seekers. The federal state covers responsible for 60% of the payment of compensation to the municipalities, the federal provinces pay 40% for the reception measures in basic care.

Austria operates a national distribution system for asylum seeker placement in federal provinces, and the number of asylum seekers placed in the provinces is regulated in the Basic Care Agreement ('*Grundversorgungsvereinbarung*'). At July 2013, 20,700 persons were receiving basic care, the majority of whom (6,289) were resident in Vienna. There are substantial regional differences in terms of how far federal provinces fulfil the quotas that are set for them - in 2012-13, for example, Vienna accommodated the equivalent of 148% of its quota, whereas Carinthia accommodated 82%.

If asylum seekers do not live in 'organised housing', meaning an organised asylum home run by an institution, then they receive a monthly allowance of €290 per person to cover lodging (subject to having an official rental contract), food and all other expenses. The federal provinces are responsible for providing education and childcare for all children, including children seeking asylum, until they reach the age of 15. Higher education is the responsibility of the federal state, and health services and dental care are provided on the same basis as to other Austrian residents.

Whilst the Foreigners Employment Act in principle enables asylum seekers to access the labour market three months after their admission to the Austrian asylum procedure, subsequent legislative ordinances have limited their access both to the labour market and to vocational training opportunities in a number of fundamental ways. Resultantly, very few asylum seekers are granted permits to work in Austria.

## 6. Resettlement

Austria does not currently operate a regular refugee resettlement programme, although has participated in ad-hoc resettlement exercises in the past both as a sending and a receiving country. Austria received refugees from Uganda, Chile and Iraq in the 1970s, 2000 refugees from Indochina between 1979 and 1983, and in 1991 200 Iraqi refugees from Turkey. More recently in 2011, the Austrian Government received 30 Christians from Iraq in a humanitarian action in cooperation with the Austrian Integration Fund and the Catholic Church in Austria.

Civil society advocacy for Austria to establish an annual quota resettlement programme in partnership with UNHCR has been ongoing for a number of years, as follows:



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- **National Working Group on Resettlement** - comprised of UNHCR, IOM, Austrian Red Cross, Caritas and Diakonie (Evangelical Refugee Service) and convened regularly since 2010.
- **'Resettlement - Austria is preparing'** - the first public advocacy event on resettlement was an expert conference in November 2010, co-organised by the Austrian Red Cross, Caritas and UNHCR.
- **'A life on hold: refugee resettlement in the EU'** - conference organised by Amnesty International and University of Vienna in April 2013:
- **'Ein neuer anfang für flüchtlinge!'/ 'A New Beginning for Refugees!'** - a leaflet produced in early 2013 by the Resettlement Working Group to promote refugee resettlement and advocate for an Austrian refugee resettlement programme. The resource was produced in partnership with the European Resettlement Network and SHARE Project (see [www.resettlement.eu/resource/ein-neuer-anfang-f%C3%BCr-fl%C3%BCchtlinge](http://www.resettlement.eu/resource/ein-neuer-anfang-f%C3%BCr-fl%C3%BCchtlinge)).
- **Concept Paper for an Austrian Resettlement Programme** drafted by the Working Group on Resettlement and officially submitted to the Federal Ministry of the Interior in July 2013.

There is still a great need for general awareness raising on resettlement in Austria. The Working Group on Resettlement is now focusing on advocacy with stakeholders, including state and regional decision-makers and politicians. The *'Ein neuer anfang für flüchtlinge!'/ 'A New Beginning for Refugees!'* leaflet is a key tool for this work.

## 7. Integration

Austrian integration policy is set out in the Austrian government's 'National Action Plan for Integration' (NAP for integration - available at [www.integration.at/media/files/nap/Bericht\\_zum\\_Nationalen\\_Aktionsplan.pdf](http://www.integration.at/media/files/nap/Bericht_zum_Nationalen_Aktionsplan.pdf)).

The NAP for integration was approved by the Council of Ministers (*'Ministerrat'*) for the first time in 2009. It unites all integration policies of provincial governments, local authorities, cities, social partners and the Austrian federation (*'Bund'*). This NAP for integration (there are NAPs for other areas of policies also) aims to provide a structured platform for national cooperation successful integration amongst all relevant stakeholders, and suggests integration measures and how to optimise their implementation. In addition to providing general guidelines for integration, the NAP covers challenges, principles and objectives in the following fields of action:

- Language and education.
- Work and employment.
- The rule of law and civic values.
- Health and social issues.
- Intercultural dialogue.



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- Sports and recreation.
- Living and the regional dimension of integration.

In 2011, the State Secretariat for Integration was established as part of the Austrian Federal Ministry of Home Affairs, with an integration budget of €36.86m for the fiscal year 2012.

An Integration Agreement ('*Integrationsvereinbarung - IV*') aimed at all third country nationals resident in Austria has been in place since 2003. Individual migrants must sign the agreement on receipt of their residence permit, to declare their intention to obtain sufficient German language skills - in particular the ability to read and write - that will enable them to participate in the social, economic and cultural life of Austria.

The Integration Agreement consists of two sequential modules - module 1 (language level A2) must be completed within 2 years of arrival in order for the initial residence permit to be renewed. Compliance with module 2 (language level B1) is not mandatory, but is a prerequisite for obtaining a long-term residence permit as well as applying for privileged acquisition of Austrian citizenship (on the basis of 6 years residency rather than 10 - see below).

On behalf of the Federal Ministry of the Interior, the Austrian Integration Fund certifies and evaluates private course providers and part-reimburses course fees when A2 level examinations have been passed. Since 2012, the Austrian Integration Fund has also run Integration Centres in 5 capital provinces covering 8 federal states (only Carinthia does not provide such integration services). Integration Centres provide support for newly arrived migrants and recognised refugees through targeted projects, counselling and advice, and specific educational and training activities designed to facilitate access to the Austrian labour market.

The NAP conceptualises integration as a two-way process that includes both migrants and the receiving society. There have been positive recent developments in terms of creating a welcoming culture for migrants in Austria, and 61% of the Austrian population stated in a 2013 poll that the subject of integration has gained in importance for them personally. However, integration issues polarise Austrian society and are a strong instrument of the political right-wing during elections.

## 8. Citizenship

Any foreigner legally resident in Austria for 10 years with a clear criminal record, no outstanding, large administrative penalties and financially self-sufficient can apply for Austrian citizenship. Applicants must also demonstrate German language skills to B1 level and pass a citizenship test with a specific regional knowledge components. Dual citizenship is, with some exceptions, not permitted in Austria. Children born in Austria to non-Austrian parents do not receive Austrian citizenship at birth, but can



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generally apply for Austrian citizenship either after reaching adulthood or if their parents become naturalised whilst they are still a minor.

A 2013 parliamentary amendment on integration means that foreign nationals can apply for Austrian citizenship after 6 years legal residence if they a) pass a German language test at B2 level and b) engage in voluntary work for 3 years and/or c) are employed in certain branches of educational or health services for a period of more than 3 years.