

The Changing Influx of Asylum Seekers in 2014-2016: Austria's Responses

Julia Rutz Stockholm, 15.11.2018



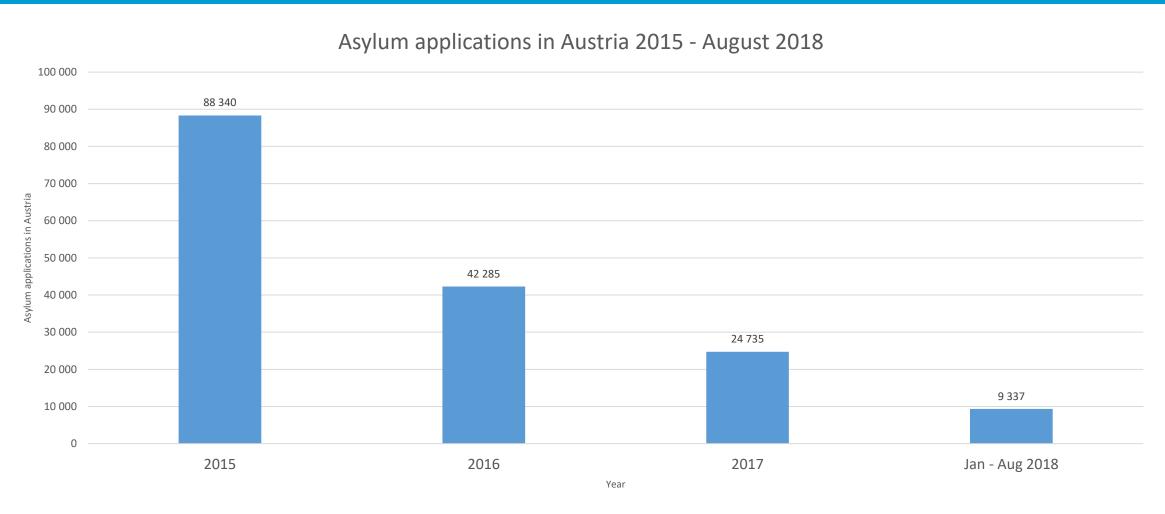








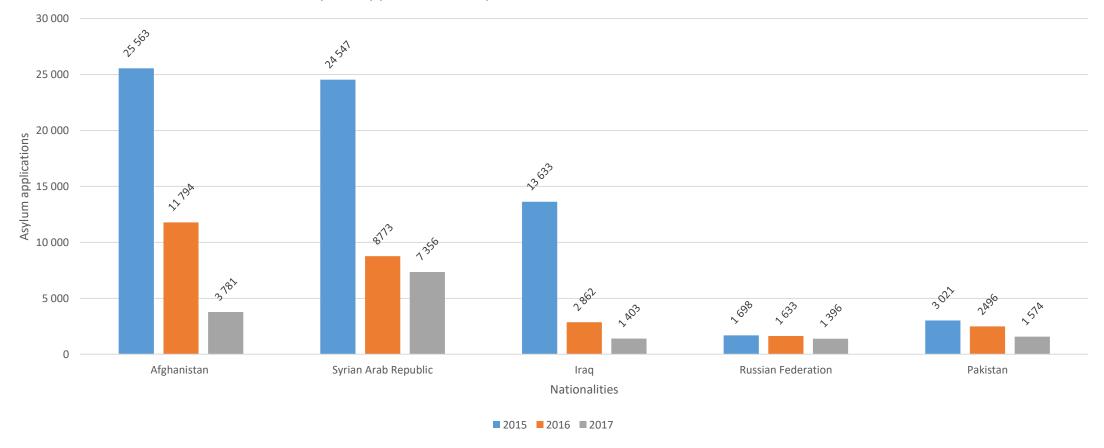
Context





I. Context







Main Policy Changes

- July 2014: Emergency plan to accommodate asylum seekers (MoI)
- Sept 2015: Implementation of Border Controls
- Sept 2015: "Integration funding pool" set up
- Jan 2016: Asylum summit goal to reduce and control "refugee and migration flows to AT by reasonable means"
- Jan 2016: new boarder management system into operation



Main Legislative Changes

Oct 2015: Federal Constitutional Act concerning accommodation and allocation of foreigners entered into effect

- accomodation and distribution among AT in equal manner
- Federal State can bypass municipalities when establishing accomodation procedures

July 2016: Asylum Act amended

- Granting of asylum limited to initially 3 years, "asylum on time"
- Obligation to evaluate countries of origin at least once/year for change in conditions – in that case withdrawal of asylum status



Main Legislative Changes

Familiy reunification (June 2016) – response to increase 2015

- Asylum family member can apply within first 3 months
- Benificiary of Intern. Protection family member earlierst in 3 years after status granted

2016: Act on Recognition and Assessment of Qualifications entered into effect

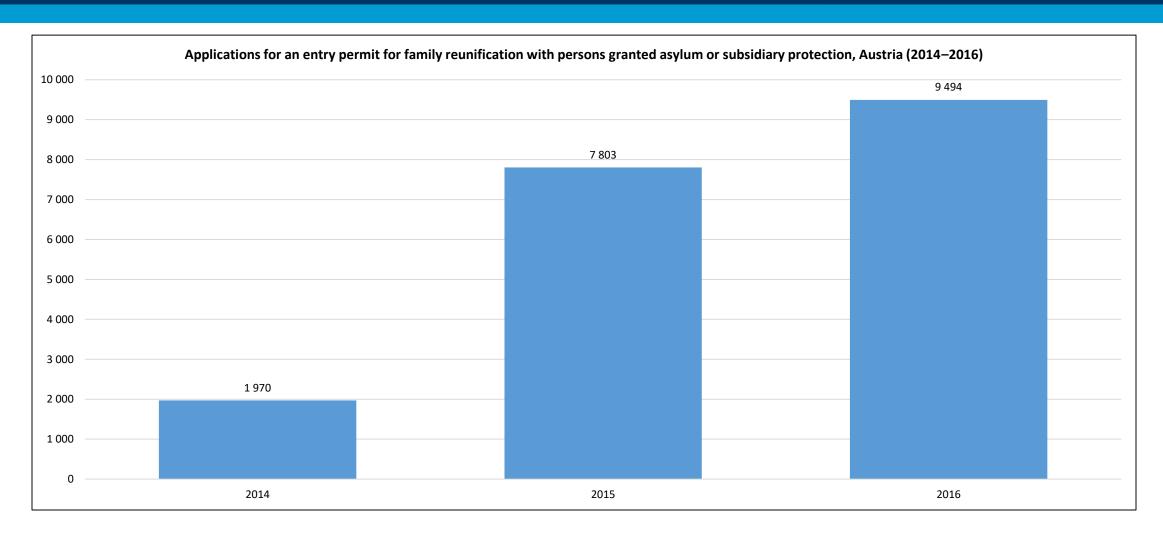
2016: Amendment to **Regulation on Countries of Origin** declared following countries as "safe countries of origin":

• Algeria, Georgia, Ghana, Morocco, Mongolia, Tunesia.

June 2017: **Integration Act** into effect



Family reunification





Measures taken

Closer cooperation among AT ministries

- "Extended crisis board" + Coord. board on acute migration situation
- Asylum Task force

Cooperation with neighbouring countries

- Border control support to other member states
- July 2015 cooperation agreement signed with Slovakia
- Agreements with e.g. Hungary and Macedonia to support protection of external EU borders
- Summit meeting on the Balkan route: adoption of Joint Declaration on Managing Migration Flows





Border control

- Introduction of temporary border controls, allowing for checks at all airports and national borders
- Deployment of armed forces
- Installation of new border management system in Dec 2015 at Spielfeld (structured procedures)

Reception centres

- Bypass power of Federal State to make accommodation available in provinces and municipalities
- Appointment of refugee coordinator in Oct 2015
- Support of civil society!



Measures taken

Target number of asylum applications

- Extensive debate on maximum number since Jan 2016
- Agreement on max. 1,5 % of population or 127,000 total

Information initiative in Afghanistan

Launched in Mar 2016 to "dispel false expectations"

Reinforced measures for reintegration

AT since 2016 in ERIN network



Measures taken

Personnel – additional staff at

- Federal Office for Immigration and Asylum, Mol
- Mol
- Police
- Federal Administrative Court



Measures planned – implemeted?

| Planned | Implemented |
|---|---|
| Visa for particularly exceptional circumstances (Art. 20 Aliens Police Act). | ✓ New visa introduced, allowing for granting visa - if necessary for humanitarian reasons, - on grounds of national interests, - because of international obligations |
| Detention pending removal in cases of "any criminal conviction" (Art. 76 para 2a and 3 subpara 8 Aliens Police Act) | ✓ In the framework of assessing the proportionality of detention pending removal criminal convictions are to be considered. ✓ In evaluating the risk of absconding the law now stipulates to consider - circumstances such as the foreigner's failure to comply with the obligation to register, or - the obligation to cooperate. |



Measures planned – implemeted?

| Planned | Implemented |
|---|--|
| Procedures for withdrawing asylum status after a shorter decision period | ✓ If a decision of withdrawing the asylum status is appealed, the time limit for decisions of the Federal Administrative Court now is two months. |
| The introduction of the new 2017 Integration Act during the first six months involving a number of new measures | ✓ Amendment of the Integration Act on March 2017 (effective in June 2017). Since 1 January 2018 all provision of the mentioned act are in force. |



Thank you for your attention!

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