



International Organization for Migration (IOM)



European Migration Network

INTEGRATION OF BENEFICIARIES OF INTERNATIONAL PROTECTION AND HOLDERS OF HUMANITARIAN RESIDENCE TITLES INTO THE LABOUR MARKET

Policies and Measures in Austria



Saskia Koppenberg

Co-funded by
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BM.I



REPUBLIC OF AUSTRIA
FEDERAL MINISTRY OF THE INTERIOR

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

Saskia Koppenberg

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EUROPEAN MIGRATION NETWORK

The European Migration Network (EMN) was launched in 2003 by the European Commission by order of the European Council in order to satisfy the need of a regular exchange of reliable information in the field of migration and asylum at the European level. Since 2008, Council Decision 2008/381/EC has constituted the legal basis of the EMN and National Contact Points (NCPs) have been established in the EU Member States (with the exception of Denmark, which has observer status) plus Norway.

The EMN's role is to meet the information needs of European Union (EU) institutions and of Member State's authorities and institutions by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the EU in these areas. The EMN also has a role in providing such information to the wider public.

The NCP for Austria is located in the Research and Migration Law Department of the Country Office Austria of the International Organization for Migration (IOM) in Vienna, which was established in 1952 when Austria became one of the first members of the organization. The main responsibility of the IOM Country Office is to analyse national migration issues and emerging trends and to develop and implement respective national projects and programmes.

The main task of the NCPs is to implement the annual work programme of the EMN including the drafting of the annual policy report and topic-specific focussed and main studies, answering Ad-Hoc Queries launched by other NCPs, carrying out visibility activities and networking in several forums. Furthermore, the NCPs in each country set up national networks consisting of organizations, institutions and individuals working in the field of migration and asylum.

In general, the NCPs do not conduct primary research but collect and analyse existing data. Exceptions might occur when existing data and information are not sufficient. EMN studies are elaborated in accordance with uniform specifications valid for all EU Member States plus Norway in order to achieve comparable EU-wide results. Since the comparability of the results is frequently challenging, the EMN has produced a Glossary,

which assures the application of similar definitions and terminology in all national reports.

Upon completion of national reports, the European Commission with the support of a service provider drafts a synthesis report, which summarizes the most significant results of the individual national reports. In addition, topic-based policy briefs, so called EMN Informs, are produced in order to present and compare selected topics in a concise manner. All national studies, synthesis reports, informs and the Glossary are available on the website of the European Commission Directorate-General Migration and Home Affairs.

CONTENTS

EXECUTIVE SUMMARY	8
1. INTRODUCTION	10
1.1 Background to the Study and Objectives	10
1.2 Target Group and Definitions	12
1.3 Methodology	13
2. FRAMEWORK OF LABOUR MARKET INTEGRATION	16
2.1 Residence	16
2.1.1 <i>Right of Residence</i>	16
2.1.2 <i>Change to Permanent Residence Status</i>	18
2.1.3 <i>Change to Citizenship Status</i>	19
2.2 Access to the Labour Market	20
2.2.1 <i>Legal Provisions Governing Access</i>	20
2.2.2 <i>Conditions for Access in Practice</i>	21
3. POLICY AND ORGANIZATIONAL FRAMEWORK OF LABOUR MARKET INTEGRATION	23
3.1 The General Policy Framework for Labour Market Integration in Austria	23
3.2 Development of a Specific Labour Market Integration Policy for the Target Group	25
3.3. Organization of Measures to Promote Labour Market Integration	30
3.3.1 <i>Actors</i>	30
3.3.2 <i>Implementation and Coordination of Measures</i>	32
4. MEASURES TO PROMOTE LABOUR MARKET INTEGRATION	35
4.1 Language Courses	35
4.1.1 <i>General Measures</i>	36
4.1.2 <i>Specific Measures for the Target Group</i>	39
4.1.3 <i>Challenges and Good Practices</i>	41
4.2 Education	42
4.2.1 <i>General Measures</i>	43
4.2.2 <i>Specific Measures for the Target Group</i>	44
4.2.3 <i>Challenges and Good Practices</i>	45

4.3	Vocational Education and Training and Apprenticeships	46
4.3.1	<i>General Measures</i>	46
4.3.2	<i>Specific Measures for the Target Group</i>	48
4.3.3	<i>Challenges and Good Practices</i>	49
4.4	Identification and Recognition of Qualifications	50
4.4.1	<i>General Measures</i>	51
4.4.2	<i>Specific Measures for the Target Group</i>	53
4.4.3	<i>Challenges and Good Practices</i>	55
4.5	Counselling	56
4.5.1	<i>General Measures</i>	56
4.5.2	<i>Specific Measures for the Target Group</i>	58
4.5.3	<i>Challenges and Good Practices</i>	60
4.6	Cultural Orientation	62
4.6.1	<i>General Measures</i>	62
4.6.2	<i>Specific Measures for the Target Group</i>	64
4.6.3	<i>Challenges and Good Practices</i>	65
4.7	Housing	65
4.7.1	<i>General Measures</i>	66
4.7.2	<i>Specific Measures for the Target Group</i>	68
4.7.3	<i>Challenges and Good Practices</i>	69
4.8	Guaranteed Minimum Resources	71
4.8.1	<i>General Measures</i>	71
4.8.2	<i>Specific Measures for the Target Group</i>	73
4.8.3	<i>Challenges and Good Practices</i>	74
5.	STATISTICS ON BENEFICIARIES OF INTERNATIONAL PROTECTION AND HOLDERS OF HUMANITARIAN RESIDENCE TITLES INCLUDING LABOUR MARKET PARTICIPATION	75
5.1	Numbers of Beneficiaries of International Protection and Holders of Humanitarian Residence Titles	75
5.2	Participation in Measures to Promote Labour Market Integration	77
5.3	Participation in the Austrian Labour Market	78
5.3.1	<i>Employment and Unemployment</i>	78
5.3.2	<i>Economic Sectors</i>	80
5.3.3	<i>Over-qualification Issue</i>	82

6. CONCLUSIONS	84
ANNEX	87
A.1 List of Translations and Abbreviations	87
A.2 Bibliography	90

LIST OF FIGURES AND TABLES

Figure 1: Number of Applications for International Protection in Austria (2010 to September 2015)	75
Figure 2: Number of Persons Granted Protection Status/Humanitarian Residence Titles in Austria by Residence Status or Title (2010–2014)	76
Table 1: Number of Participants in Public Employment Service Measures by Residence Status or Title as of Year’s End (2010–2014)	78
Table 2: Number of Persons Registered with Public Employment Service by Residence Status or Title as of Year’s End (2010–2014)	80

EXECUTIVE SUMMARY

Integration into the Austrian labour market upon receiving legal status is a priority concern for all three target groups addressed in this study, so as to allow these individuals to subsequently make a positive contribution to society and support themselves. In Austria, beneficiaries of international protection (persons granted asylum and beneficiaries of subsidiary protection) have unlimited access to the labour market, whereas varying provisions apply to persons holding a residence title on humanitarian grounds, depending on whether they hold a Residence Permit, a Residence Permit Plus or a Residence Permit for Individual Protection.

Austrian integration policies principally target only persons who reside in the country permanently (e.g. not asylum-seekers). Measures are accordingly offered to third-country nationals in general and not based on status distinctions. Consequently, only scanty statistics are available on the general integration of the target group or specifically on their integration into the labour market, so that only limited observations can be made in this study.

Integration touches on various policy areas in Austria. All levels of the state, i.e. federal, provincial and municipal, have responsibilities in the area of integration. Each level either directly provides integration measures or assigns these to and funds commissioned institutions. General coordination at federal level is the responsibility of the Federal Ministry for Europe, Integration and Foreign Affairs, while the Federal Ministry of Labour, Social Affairs and Consumer Protection plays an important role in labour market integration. The Austrian Integration Fund under the auspices of the Republic of Austria is active country-wide as an integration service provider and is a partner of the Federal Ministry for Europe, Integration and Foreign Affairs. As a service company under public law, the Public Employment Service (PES) pursues activities under the mandate of the Federal Ministry of Labour, Social Affairs and Consumer Affairs. By sitting on the advisory board of PES, the social partners play an important role in labour market policy and integration in Austria. Civil society organizations such as non-governmental organizations, private associations and church-affiliated organizations are tasked with implementing integration policy measures.

With regard to new developments, policy and media debates on the issue of integration in 2015 centred increasingly on persons granted asylum and beneficiaries of subsidiary protection, whereas the focus in previous years had been on the integration of labour migrants. The reason for the shift was the rapidly increasing number of asylum-seekers originating from countries such as the Syrian Arab Republic and Afghanistan, for which the probability of recognition is high. Meanwhile the number of instances in which status was granted also increased, as did the number of persons granted asylum and beneficiaries of subsidiary protection who were registered with PES as job-seekers to be integrated into the labour market. This new focus led to an expansion of existing measures and the development of new ones, aimed specifically at promoting labour market integration of persons granted asylum and beneficiaries of subsidiary protection. While the majority of new measures are still in preparation, some of the adopted measures have already started; examples of the latter include expanded German course offerings, placement of young persons granted asylum in apprenticeships, and skills testing to allow placement in jobs that best match qualifications.

Up to now most of the projects have been isolated initiatives by various commissioned institutions implemented at federal, provincial or municipal level. Besides such projects, persons granted asylum and beneficiaries of subsidiary protection, as well as in part persons with a humanitarian residence title, have access to country-wide state integration measures which are also open to other third-country nationals and other individuals with a migration background as well as in some cases to Austrian citizens.

1. INTRODUCTION

1.1 Background to the Study and Objectives

According to the European Commission, the integration of third-country nationals represents one of the major challenges facing the European Union (EU) and its Member States (European Commission, 2011). For a long time this meant the integration of labour migrants and their families, while the integration of beneficiaries of international protection only rarely fell within the scope of concern. In 2015, however, considering on the one hand the growing number of asylum-seekers,¹ as well as rising recognition rates,² the integration of beneficiaries of international protection is increasingly becoming a significant factor.

The United Nations High Commissioner for Refugees (UNHCR) concludes that an integration policy suited to allowing all new arrivals to become economically productive leads to self-reliance, dignity, and social interaction (UNHCR, 2013a:118). Such a policy is consequently beneficial to individuals as well as the receiving society, and thus to the EU Member States and the Union as a whole. In this context UNHCR makes specific reference to beneficiaries of international protection, whose situation differs from that of other migrants and requires special consideration on the part of integration policymakers (UNHCR, 2013a:34).

According to the EMN Glossary, integration in the EU context refers to “a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States” (EMN, 2014:163). This core definition corresponds to the one given by leading international organizations working in the interests of integrating migrants, such as UNHCR (UNHCR, 2005) and the International Organization for Migration (IOM, 2011:51). Austria similarly defines integration as a “reciprocal process characterized by mutual esteem and respect” (Austrian Federal Government, 2010:2), consisting of both “to the maximum extent possible equal-opportunity participation in

- 1 The number of asylum-seekers in the EU 28 increased from 260,835 in 2010 to 627,780 in 2014 (+141 %) (Eurostat, 2015a).
- 2 The average recognition rate in the EU 28 in the first instance was 25 per cent in 2010 and 45 per cent in 2014 (+20 percentage points) (Eurostat, 2015b).

the central areas of social life” and “recognition of and identification with Austrian values” (Expert Council for Integration, 2015:14). While integration today often concerns various related areas or dimensions, such as legal, economic and socio-cultural dimensions, this study by the European Migration Network (EMN) concentrates on the economic dimension.

The right of beneficiaries of international protection to have access to employment and to activities related to employment is defined in Article 26 of the recast Qualification Directive (2011/95/EU).³ The objective pursued in this EMN study is to present the various measures taken by the Member States with the aim of promoting labour market integration, in the areas of language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, cultural orientation, housing, and guaranteed minimum resources. This specifically involves the following investigations:

- Presentation of the legislative and policy framework with special attention to the legislative and practical barriers limiting access to employment;
- Examination of employment-related measures as well as the extent to which such measures are or can be accessed;
- Presentation of available employment-related measures that are specifically tailored to persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title;
- Identification of the differences that exist for persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title;
- Identification of good practices.

The study is not able to provide an analysis of the scope of the measures offered or of the extent to which they meet existing needs. Furthermore, no effort is made to evaluate the labour market integration of beneficiaries of international protection and holders of humanitarian residence titles.

3 Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), 20 December 2011, OJ L 337/9.

1.2 Target Group and Definitions

The target group refers to the group of individuals who are assisted in employment integration through state measures. In relation to this group, the EMN study concentrates on beneficiaries of international protection. This group includes both persons who have been granted refugee status and persons who have been granted subsidiary protection status (Article 2 (b) recast Qualification Directive). Additionally included are persons who have been issued a humanitarian residence title, based on obligations arising from the Geneva Convention on Refugees⁴ or from international human rights instruments. These categories of individuals are defined in detail below.

Refugee or person granted asylum:⁵ In accordance with Article 2 (d) of the recast Qualification Directive (2011/95/EU), the EMN Glossary defines a “refugee” in the EU context as either a third-country national who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it, and to whom Article 12 (Exclusion) of Directive 2011/95/EU does not apply (EMN, 2014:230).

Person eligible for subsidiary protection or beneficiary of subsidiary protection:⁶ In accordance with Article 2 (f) of the recast Qualification Directive (2011/95/EU), the EMN Glossary defines a “person eligible for subsidiary protection” as a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person, to their country of former habitual residence, would face a real risk of suffering serious harm as defined in Article 15 of Directive 2011/95/EC, and to whom Article 17

4 Convention Relating to the Status of Refugees, 28 July 1951, United Nations Treaty Series vol. 189.

5 The common term in Austria, “person granted asylum”, is used in the context of this study.

6 The common term in Austria, “beneficiary of subsidiary protection”, is used in the context of this study.

(1) and (2) of said Directive do not apply, and is unable, or, owing to such risk, unwilling to avail themselves of the protection of that country (EMN, 2014:211).

Person granted authorization to stay for humanitarian reasons or person holding a humanitarian residence title:⁷ According to the definition used by Eurostat, this term refers to a person covered by a decision granting authorization to stay for humanitarian reasons under national law concerning international protection, taken by administrative or judicial bodies. It includes persons who are not eligible for international protection as currently defined in the first stage legal instruments, but are nonetheless protected against removal under the obligations that are imposed on all Member States by international refugee or human rights instruments or on the basis of principles flowing from such instruments.⁸ In Austria the forms of authorization known as “residence titles for exceptional circumstances” fall within the scope of this definition. These are specifically:

- Residence titles on grounds of Article 8 of the European Convention on Human Rights (ECHR; Art. 55 Asylum Act⁹);
- Residence titles for particularly exceptional circumstances (Art. 56 Asylum Act);
- Residence Permit for Individual Protection (Art. 57 Asylum Act).

Persons who did not apply for international protection before being granted a residence permit for humanitarian reasons do not fall under this category.

1.3 Methodology

The present study was conducted by the National Contact Point (NCP) Austria in the EMN within the framework of the EMN’s 2015–2016 Work Programme. The study follows a common study template with a predefined set of questions developed by the EMN in order to facilitate comparability of the findings across all Member States. The study concerns a highly current

7 The common term in Austria, “person holding a humanitarian residence title”, is used in the context of this study.

8 Eurostat, *Glossary: Asylum decision*, available at http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Humanitarian_status (accessed on 17 August 2015).

9 FLG I No. 100/2005, in the version of FLG I No. 70/2015.

topic subject to ongoing developments. It should consequently be noted that the information contained here refers to the situation up to and including December 2015.

Legislative texts, national and international publications, studies and internet sites were used as sources for the study. The study was also able to draw on information obtained through continuous media monitoring by the International Organization for Migration (IOM), Country Office for Austria. Statistics were obtained from various national and European sources, including the Austrian Federal Ministry of the Interior, the Public Employment Service and Eurostat.

To supplement the information obtained through secondary research, qualitative semi-structured face-to-face interviews were carried out with experts actively involved in the topic of integration in Austria. These were specifically:

- Hermann Deutsch, Head of Department 7 (Employment of Foreigners) and Head of Group VI/B (Labour Market Legislation, Organization of PES, Services of PES) at the Federal Ministry of Labour, Social Affairs and Consumer Protection;
- Lisa Fellhofer, Head of the Knowledge Management and International Affairs Team at the Austrian Integration Fund;
- Michael Girardi, Head of Department VIII.1 (General Integration Policy Issues) at the Federal Ministry for Europe, Integration and Foreign Affairs;
- Margit Kreuzhuber, Migration and Integration Officer of the Department of Social Policy and Health at the Austrian Federal Economic Chamber;
- Jana Matischok, Coordination Head of Integration Centres and “Recognition Network” at the Austrian Integration Fund;
- Gernot Mitter, Department of Labour Market and Integration, Vienna Chamber of Labour.

Inquiries were also made by phone and in writing to: Gerald Dreveny, Deputy Head of Department III/5 (Asylum and Alien Affairs) at the Federal Ministry of the Interior; Heinz Kasparovsky, Head of Department VI/7 (Recognition Issues and International University Law) at the Federal Ministry of Science, Research and Economy; and Michaela Malz, Unit III/9/a (Federal Care Services) at the Federal Ministry of the Interior.

The study was compiled by Saskia Koppenberg (Research Associate, IOM Country Office for Austria) under the supervision of Julia Rutz (Head of Research and Migration Law, IOM Country Office for Austria). Special thanks go to Katerina Kratzmann (Head of Office, IOM Country Office for Austria) for reviewing the study. Thanks go also to Dorothea Keudel-Kaiser for assisting in conducting the interviews and preparing the study.

2. FRAMEWORK OF LABOUR MARKET INTEGRATION

2.1 Residence

The basis for the right of residence differs in each case for persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title. The possibility of acquiring permanent residence status or citizenship also varies in each case. Details of these issues follow below.

2.1.1 Right of Residence

The issuing of residence titles to persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title, as well as such individual's right of residence, is governed in the Asylum Act. The possibility of issuing a humanitarian residence title has been specified in that act only since 1 January 2014, under the section entitled "residence titles for exceptional circumstances". This right had previously been defined in the Settlement and Residence Act^{10,11} It should be mentioned in this regard that such residence titles may also be issued upon application and even apart from any asylum procedure, in other words without any prior application for asylum (Peyrl/Neugschwendtner/Schmaus, 2015:181–183). The description of humanitarian residence titles offered in this study is generalized and relates to both cases (i.e. titles granted as part of or separate from any asylum procedure).

Persons who are granted asylum status pursuant to Art. 3 of the Asylum Act have the permanent right to enter and reside in Austria (Art. 2 para 1 subpara 15 Asylum Act). It should be noted, however, that asylum status can be withdrawn in the event that grounds for ineligibility arise or a reason for terminating the status exists (Art. 7 Asylum Act).

10 FLG I No. 100/2005, in the version of FLG I No. 70/2015.

11 Federal Office for Immigration and Asylum, *Aufenthaltstitel aus humanitären Gründen*, available at www.bfa.gv.at/presse/thema/detail.aspx?nwid=6D7233753831747A6559553D&ctrl=796C386F347944696937796A68352F47503437326B513D3D&nwo=0 (accessed on 12 October 2015).

With a view to the current migration developments, the Federal Ministry of the Interior has put forth a draft amendment to the Asylum Act for evaluation. The proposal specifies to initially restrict the entry and residence right entailed in asylum status to three years (“temporary asylum”). The right would then be renewed as a matter of law for an indefinite validity period, provided there are no existing grounds for withdrawing the status (Art. 2 para 1 subpara 15 and Art. 3 para 4 Draft – Act Amending the Asylum Act 2005).¹² The evaluation period ended on 30 November 2015; at the time this study was completed it was not yet clear whether the wording of the draft would be adopted as proposed.

Aliens who are not granted asylum yet whose removal would be inadmissible are granted **subsidiary protection** pursuant to Art. 8 para 1 of the Asylum Act. With regard to the duration of the right of residence, beneficiaries of subsidiary protection are disadvantaged compared with persons granted asylum. In the case of subsidiary protection, the residence permit is initially limited to one year. If the individual continues to meet the requirements, the residence permit can be renewed, even more than once and each time for another two years (Art. 8 para 4 Asylum Act). Subsidiary protection can also be withdrawn, specifically where: the grounds prohibiting removal no longer exist, grounds for ineligibility exist, or the individual has relocated his or her main centre of interest to another country or has obtained citizenship from another country (Art. 9 para 1 Asylum Act).

The right of residence accorded to **persons holding a humanitarian residence title** varies depending on the residence title but is normally limited to one year.

Residence titles on grounds of Article 8 ECHR and residence titles for particularly exceptional circumstances:

A Residence Permit is issued if necessary for the maintenance of private or family life as specified in Art. 8 ECHR (Art. 55 para 2 in conjunction with para 1 subpara 1 Asylum Act) or if – when applying for the title – the person can provide evidence of having continuously resided in Austria for the previous five years and having been a legal resident for at least half that

12 Draft – Act Amending the Asylum Act 2005, Ministerial Proposal – Legal Text, available at www.parlament.gv.at/PAKT/VHG/XXV/ME/ME_00166/fname_480069.pdf (accessed on 11 November 2015).

period but for three years in any case (Art. 56 para 2 Asylum Act in conjunction with para 1 subpara 1 and 2). If in addition module 1 of the Integration Agreement¹³ is met, or the foreigner is employed with a salary above the minimum threshold, then a Residence Permit Plus can be issued (Art. 55 para 1 and Art. 56 para 1 Asylum Act). Both types of residence permit are valid for one year and are not renewable (Art. 54 para 2 Asylum Act).

Residence Permit for Individual Protection:

A Residence Permit for Individual Protection can be issued in the three cases specified in Art. 57 para 1 Asylum Act. The first case is where the previous stay has been tolerated for at least one year and the related conditions continue to exist, except where the person poses a threat to the community or the state or has been convicted of a crime (Art. 57 para 1 subpara 1 Asylum Act). The Residence Permit for Individual Protection can also be granted if the person is a witness or victim of trafficking in human beings or of forced prostitution and if related criminal or civil proceedings are pending (Art. 57 para 1 subpara 2 Asylum Act). Lastly, the Residence Permit for Individual Protection can be issued if the person is a victim of violence and requires protection (Art. 57 para 1 subpara 3 Asylum Act). The Residence Permit for Individual Protection is valid for one year and is renewable (Art. 54 para 2 Asylum Act).

2.1.2 Change to Permanent Residence Status

After five years of continuous residence status or a continuous residence permit, **persons granted asylum and beneficiaries of subsidiary protection** can be issued with a Permanent Residence – EU title. Half of the period between submission of the application and granting of asylum or subsidiary protection is to be recognized towards the five years. Where that period lasts more than 18 months, it is to be recognized in its entirety (Art. 45 para 12 Settlement and Residence Act).

13 The Integration Agreement was introduced in 2005 to promote the integration of third-country nationals aiming to settle in Austria. The Integration Agreement is comprised of two sequential modules. Module 1 is intended to provide German language skills at A2 level according to the Common European Framework of Reference for Languages and module 2 at B1 level (migration.gv.at, *Integration Agreement*, available at www.migration.gv.at/en/living-and-working-in-austria/integration-and-citizenship/integration-agreement.html (accessed on 10 September 2015)).

Persons holding a humanitarian residence title can be issued with a Permanent Residence – EU title after being entitled to settlement for five continuous years. In other words, such individuals must first acquire a residence permit pursuant to the Settlement and Residence Act (Art. 45 para 1 Settlement and Residence Act). In detail it is specified that, for third-country nationals entitled to settlement, half of any immediately preceding legal residence period is to be recognized towards the five-year period in case the person was holding a Residence Permit for Individual Protection, while the preceding period is recognized in full in case the person was holding a Residence Permit Plus or a Residence Permit (Art. 45 para 2 Settlement and Residence Act).

As a prerequisite to obtaining the Permanent Residence – EU title, individuals in any of the three categories have to meet the general requirements for a residence title, as listed in the first part of the Settlement and Residence Act¹⁴ (Art. 45 para 1 subpara 1 and para 12 subpara 1 Settlement and Residence Act), as well as complete module 2 of the Integration Agreement (Art. 45 para 1 subpara 2 and para 12 subpara 2 Settlement and Residence Act).

2.1.3 Change to Citizenship Status

Persons granted asylum can be awarded Austrian citizenship after at least six years of continuous legal residence. Here the time from when the person was admitted to the asylum procedure¹⁵ is generally recognized (Art. 11a para 4 subpara 1 Citizenship Act¹⁶). Persons granted asylum thus can more easily obtain citizenship.

Beneficiaries of subsidiary protection status and persons holding a humanitarian residence title can be awarded Austrian citizenship after legally residing in the country for ten consecutive years and being legally settled for at least five of those years (Art. 10 para 1 subpara 1 Citizenship Act). In other words, such individuals must first acquire a residence title

14 These include: travel documents, accommodation, subsistence, health insurance, Integration Agreement, no enforceable return decision, no valid exclusion order, no threat to public safety, personal application as well as compliance with the procedural provisions (Peyrl/Neugschwendtner/Schmaus, 2015:43).

15 This period is, however, interrupted when the asylum-seeker evades the procedure, which is therefore put on hold (Peyrl/Neugschwendtner/Schmaus, 2015:347).

16 FLG No. 311/1985, in the version of FLG I No. 104/2014.

pursuant to the Settlement and Residence Act. That is normally possible after five years (Art. 45 para 1 and para 12 Settlement and Residence Act).

As a prerequisite to citizenship, all three categories are required to meet the general requirements¹⁷ (Art. 11a para 4 in conjunction with Art. 10 para 1 subpara 2 to 8, para 2 and 3 Citizenship Act; Art. 10 para 1 Citizenship Act). Additionally in the case of persons granted asylum, procedures for the withdrawal of asylum status may neither have been initiated nor may any corresponding prerequisites exist (Art. 11a para 4 subpara 1 Citizenship Act).

2.2 Access to the Labour Market

The employment of foreigners in Austria is mainly regulated in the Act Governing the Employment of Foreigners.¹⁸ Varying rules apply in each case to individuals granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title. These rules are presented in the following.

2.2.1 Legal Provisions Governing Access

From a legal perspective, **persons granted asylum** and **beneficiaries of subsidiary protection** have unrestricted access to the labour market, since such individuals do not fall within the scope of the Act Governing the Employment of Foreigners (Art. 1 para 2 (a) Act Governing the Employment of Foreigners). These two categories also enjoy a preferred position over the third category, with the exception of holders of a Residence Permit Plus (see below).

In the case of **persons holding a humanitarian residence title** who are issued with one of the three residence titles for exceptional circumstances, the rules governing their access to the labour market differ depending on the type of title.

17 These include: no judicial custodial sentence, no serious administrative penalties, no valid exclusion order or entry ban, no pending proceeding to terminate residence, good conduct, secured means of subsistence, renunciation of previous citizenship as well as knowledge of the German language and the country (Peyrl/Neugschwendner/Schmaus, 2015:339).

18 FLG I No. 218/1975, in the version of FLG I No. 113/2015.

Residence Permit:

Individuals holding a Residence Permit issued for the reasons specified in Article 8 of the ECHR, or due to particularly exceptional circumstances, can obtain access to the labour market through a work permit (Art. 3 para 1 Act Governing the Employment of Foreigners). A work permit, which is applied for by the future employer, can be issued following a positive labour market test and provided such issue would not conflict with public or overall economic interests and that the conditions laid down in Article 4 para 1 of the Act Governing the Employment of Foreigners are met (Art. 4 para 1 Act Governing the Employment of Foreign Nationals). The work permit is limited to a maximum of 12 months (Art. 7 para 1 Act Governing the Employment of Foreigners) and is valid for one employment position (Art. 6 para 1 Act Governing the Employment of Foreigners).

Residence Permit for Individual Protection:

Persons holding a Residence Permit for Individual Protection can also obtain access to the labour market through a work permit. Unlike the case of the Residence Permit, no labour market test is required here (Art. 3 para 1 and Art. 4 para 7 subpara 5 Act Governing the Employment of Foreigners).

Residence Permit Plus:

Similar to individuals with asylum or subsidiary protection status, persons holding a Residence Permit Plus issued for one of the reasons in Article 8 ECHR, or due to particularly exceptional circumstances, have unrestricted access to the labour market (Art. 17 Act Governing the Employment of Foreigners).

2.2.2 Conditions for Access in Practice

With respect to labour market access, beneficiaries of subsidiary protection enjoy equal legal status to persons granted asylum; nonetheless, observations of practices by UNHCR show that, because they are issued only with a temporary residence permit, those with subsidiary protection encounter much greater challenges in obtaining employment and thus access to the labour market than those entitled to asylum (UNHCR; 2015:39). The same can be assumed to apply to persons holding a humanitarian residence title, who also have a temporary residence title.

Beyond this, to actually find employment in the Austrian job market, individuals seeking work have to ensure that certain preconditions as to their qualifications are in place. It may be assumed that in general these

preconditions apply equally to all three categories of individuals covered by this study. Firstly, according to the Federal Ministry of Labour, Social Affairs and Consumer Protection, it is necessary to evidence a certain minimum level of proficiency in German.¹⁹ A report by UNHCR additionally observes that a good knowledge of German is required, specifically one above the B1 level of the Common European Framework of Reference for Languages, especially when seeking employment at a highly qualified position (UNHCR, 2013b:64, 65). Secondly, UNHCR reports that it is often additionally necessary to submit certification of qualifications and work experience or formal recognition of qualifications acquired outside Austria (UNHCR, 2013b:69). Thirdly, it is observed that employers require qualifications and/or work experience acquired specifically in Austria (UNHCR, 2013b:70).

19 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

3. POLICY AND ORGANIZATIONAL FRAMEWORK OF LABOUR MARKET INTEGRATION

Austria only defined a labour market integration policy for the target group of this study as recently as 2015. This policy has not yet been completely implemented. This chapter will accordingly devote particular attention to the general policy and organizational framework related to labour market integration in Austria. The focus in this context is on measures in the areas of language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, cultural orientation, housing and guaranteed minimum resources.

3.1 The General Policy Framework for Labour Market Integration in Austria

The **National Action Plan for Integration (NAP.I)**²⁰ was adopted by the Austrian Federal Government on 19 January 2010, laying the groundwork for a new integration strategy at national level.²¹ NAP.I sets out the general guidelines on integration policy as well as challenges, principles and objectives in seven fields of action: 1) language and education, 2) work and employment, 3) rule of law and values, 4) health and social issues, 5) intercultural dialogue, 6) sport and recreation, and 7) housing and the regional dimension of integration.

NAP.I gives high priority to labour market integration. The general guidelines on integration policy for example state that the permanent integration of migrants in the labour market represents a prerequisite for

20 Austrian Federal Government (2010), *Nationaler Aktionsplan für Integration – Bericht*. Available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/NAP/Bericht_zum_Nationalen_Aktionsplan.pdf (accessed on 6 August 2015).

21 Federal Ministry for Europe, Integration and Foreign Affairs, *National Action Plan for Integration*, available at www.bmeia.gv.at/en/integration/national-action-plan/ (accessed on 2 October 2015).

future coherent development of Austria's economy and society (Austrian Federal Government, 2010:8). **Work and employment** is correspondingly one of the seven fields of action put forth in NAPI. The principle at play here is that employment is the key to a successful integration process (Austrian Federal Government, 2010:20). The objectives specified for this field of action include language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, and cultural orientation.

In addition to the measures listed under language, education and vocational education and training in the field of action for work and employment, NAPI also includes a separate field of action for **language and education**. The primary principle stated here is that proficiency in German is a major prerequisite for success at school and later integration in gainful employment (Austrian Federal Government, 2010:12). The objectives targeted in this context also include the areas of language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, and cultural orientation.

Housing, together with the regional dimension of integration, represents a separate field of action within NAPI. One of the principles requires local housing policies to be further developed in line with the goal of integration and to provide for instruments to help avoid conflicts in the living situation (Austrian Federal Government, 2010:41). Examples of the measures specifically listed in the area of housing include providing more opportunities for migrants who experience discrimination to obtain counselling and lodge complaints, but also funding for public housing and housing subsidies as a means of providing affordable accommodation, as well as mediation for the purpose of defusing intercultural conflicts (Austrian Federal Government, 2010:40ff.).

The **target group** of NAPI, that is of Austrian integration policy, is *society at large, foreign nationals settled permanently in Austria and Austrian citizens born in another country, as well as people with a migration background who are permanently settled in Austria or already possess Austrian citizenship but whose parents were born in another country* (Austrian Federal Government, 2010:7).

Austria's integration policy thus addresses individuals who legally reside permanently in the country. No further differentiation is made beyond this.²²

Consequently, of the three categories of persons representing the subject of this study, the policy also includes the category of persons granted asylum, since they have the right to permanent residence (refer to Section 2.1.1). Several actors such as the Federal Ministry for Europe, Integration and Foreign Affairs²³ and UNHCR (UNHCR, 2013b:14) argue that persons with subsidiary protection status are also included in the target group, based on observations that such individuals settle permanently in Austria. Another reason is that individuals with subsidiary protection are explicitly mentioned as part of the category targeted by the integration programmes under the European Asylum, Migration and Integration Fund (AMIF), a fund that co-finances numerous integration measures in Austria (refer to Chapter 4).²⁴ On the other hand, persons holding a humanitarian residence title are not included in the NAPI target group. To qualify for permanent residence in Austria, such individuals first have to acquire a residence title pursuant to the Settlement and Residence Act (refer to Section 2.1.2). Those holding a humanitarian residence title nonetheless receive access to several integration measures (refer to Chapter 4).

3.2 Development of a Specific Labour Market Integration Policy for the Target Group

The NAPI general guidelines on integration policy state that the “integration of persons granted asylum and beneficiaries of subsidiary protection [...] represents a special challenge in view of their vulnerability” (Austrian Federal Government, 2010:9). In the integration report presented

22 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

23 Ibid.

24 Austrian Integration Fund, *Spezifisches Ziel 2: Integration – Förderung der tatsächlichen Integration Drittstaatsangehöriger*, available at www.integrationsfonds.at/themen/eu/amif-asyl-migrations-und-integrationsfonds/integration/ (accessed on 16 October 2015).

on 16 July 2015, the Expert Council for Integration²⁵ concludes that the majority of integration policy measures (and especially those aimed at the labour market) apply to third-country nationals in general whereas, so it is stated, relatively little consideration has so far been given to the category of beneficiaries of international protection (Expert Council for Integration, 2015:68).

Yet the **framework conditions** surrounding Austria's integration policy have changed considerably since 2015. Since that year Austria has experienced a rapidly increasing number of asylum-seekers originating mostly from countries such as the Syrian Arab Republic and Afghanistan, for which the probability of recognition is high.²⁶ Due to the large number of asylum applications, between 20,000 and 25,000 refugees are expected to be recognized in 2015. About 7,500 applications for family reunification are additionally expected (Federal Ministry for Europe, Integration and Foreign Affairs/Expert Council for Integration, 2015:2). In view of these developments it has become obvious that individuals with international protection can no longer be accommodated under the general integration policy. Experts call instead for specific labour market policy instruments tailored to the needs of this group.²⁷ Vienna is especially seen as taking a leading role in such programmes, since the majority of individuals with

25 The Expert Council for Integration is affiliated to the Federal Ministry for Europe, Integration and Foreign Affairs and consists of experienced and respected public figures. Its task is to foster and monitor the development of the Austrian integration policy, taking into account science and practice (Federal Ministry for Europe, Integration and Foreign Affairs, *Expert Council*, available at www.bmeia.gv.at/en/integration/expert-council/ (accessed on 2 October 2015).

26 Between January and September 2015 56,356 asylum applications were submitted in Austria. This is an increase of 231 percent compared to the same period of the previous year in which 17,010 asylum applications were submitted. The majority of asylum applications were submitted by Syrian and Afghan citizens (Federal Ministry of the Interior, 2015:3, 6).

27 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015; Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015; Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

international protection reside in Vienna,²⁸ specifically one third of all refugees registered as job-seekers.²⁹

The issue of the integration of beneficiaries of international protection was addressed more frequently during the course of 2015 and it continues to be intensively discussed in the media and in political circles.³⁰ For the first time, Margit Kreuzhuber of the Austrian Federal Economic Chamber sees the emergence of a broad awareness within the general public and among policymakers regarding the relevance of specific labour market instruments as a means for ensuring the integration of persons granted asylum and beneficiaries of subsidiary protection.³¹ In contrast, the category of individuals holding a humanitarian residence title is not addressed.

This is illustrated specifically in the **Expert Paper on the Integration of Persons Granted Asylum and Beneficiaries of Subsidiary Protection**, published in July 2015 by a task force under the Expert Council for Integration. The paper confirms the need to distinguish between third-country nationals in general and beneficiaries of international protection in particular. It argues that the integration of persons granted asylum and beneficiaries of subsidiary protection entails special challenges that result from having to flee and normally being unable to prepare for life in the host country (e.g. traumas, health issues, no knowledge of the language and a lack of orientation within an unfamiliar system). Here, particular attention is required for the category of unaccompanied minors (Expert Council for Integration – Task Force, 2015:2–6). The Task Force responds by proposing

28 Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

29 Austrian Federal Economic Chamber, *Wir schaffen Chancen! Fachkräftepotential stärken*, available at www.wko.at/Content.Node/kampagnen/fachkraeftepotenzial/index.html (accessed on 20 November 2015).

30 E.g. Die Presse, *Deutschkurse: Bis zu sechs Monate Wartezeit*, 16 June 2015, available at http://diepresse.com/home/panorama/oesterreich/4756280/Deutschkurse_Bis-zu-sechs-Monate-Wartezeit?_vl_backlink=/home/panorama/index.do (accessed on 16 October 2015); Die Presse, *Wiener Jobmarkt: Langzeitarbeitslose als Hauptproblem*, 2 October 2015, available at http://diepresse.com/home/panorama/wien/4833912/Wiener-Jobmarkt_Langzeitarbeitslose-als-Hauptproblem?_vl_backlink=/home/panorama/index.do (accessed on 16 October 2015); Wiener Zeitung, *Kein Interesse am Wissen der Flüchtlinge*, 20 August 2015, available at www.wienerzeitung.at/nachrichten/oesterreich/politik/769910_Kein-Interesse-am-Wissen-der-Fluechtlinge.html (accessed on 16 October 2015).

31 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015.

the expansion of existing structures and the improved coordination of measures taken at federal, provincial and municipal levels, so that these programmes are better suited to the needs of beneficiaries of international protection and can be implemented cost-effectively. Other desirable measures are additionally presented, which address such persons in their individual situations (Expert Council for Integration – Task Force, 2015:7–17).

On 11 September 2015, shortly after the Expert Paper was published, the Austrian Federal Government held closed consultations on the current refugee situation. During the meeting an **Integration Package** was adopted that would provide funds from the federal budget to finance measures, by all of the ministries, aimed at the integration of asylum-seekers, persons granted asylum and persons with subsidiary protection status. The Federal State, the provinces and the municipalities are called upon to reinforce the corresponding structures and activities. The areas included are: 1) integration; 2) labour market; 3) support for the provinces and municipalities; 4) housing construction; and 5) suitable winter accommodation (Republic of Austria, 2015). Consultations are currently in progress between the Federal Ministry for Europe, Integration and Foreign Affairs, the Federal Ministry of Labour, Social Affairs and Consumer Protection, the Federal Ministry of Education and Women's Affairs, the provinces, the Austrian Integration Fund, and the Public Employment Service (PES). The goal is to reach an agreement on how to distribute and invest the funding so as to ensure the implementation in detail of the measures defined in the Integration Package. An agreement between the Federal Chancellor, the Vice Chancellor and the Minister of Finance has to be reached in order to approve concrete projects.³²

A 50-Point Plan for the Integration of Persons Granted Asylum and Beneficiaries of Subsidiary Protection in Austria followed on 19 November 2015, and was subsequently presented jointly by the Federal Minister for Europe, Integration and Foreign Affairs and by the chair of the Expert Council for Integration. The measures specified in the plan are to be considered as recommendations “aimed at integrating persons granted asylum and beneficiaries of subsidiary protection as swiftly as possible and soon enabling them to support themselves. Here, language acquisition,

32 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

labour market entry and the communication of values are crucial factors.”³³ Based on the seven fields of action set forth in NAPI, for each field of action the 50-Point Plan lists measures that have been adapted, specified and prioritized for implementation, with a view to the special challenges in integrating beneficiaries of international protection (Federal Ministry for Europe, Integration and Foreign Affairs/Expert Council for Integration, 2015:6).

Also at provincial level there have been developments based on the current situation. An example is the announcement by the Province of Salzburg on 12 October 2015 to create a **Regional Action Plan for Labour Market Integration** that would structure and bundle existing measures in the areas of language, education, employment and housing. Provincial Governor Wilfried Haslauer termed the integration of individuals granted asylum as a key issue for the future, stating that only when people have employment could they support themselves in the long term and contribute to society.³⁴

Some of the adopted measures are already being implemented. Examples of such measures include the creation of additional spaces in German courses (refer to Section 4.1.2), placement of young persons granted asylum in vacant apprenticeships (refer to Section 4.3.2), skills testing to identify previously acquired qualifications (refer to Section 4.4.2) and the “WKO Job Profile” procedure for identifying skills (refer to Section 4.4.2). Alongside these activities, mostly scattered projects are already offered at federal, provincial or municipal level by various commissioned institutions, supported by funding from the state and in some cases the EU.

33 Federal Ministry for Europe, Integration and Foreign Affairs, *50 points towards successful integration*. News, available at www.bmeia.gv.at/en/the-ministry/press/news/50-points-towards-successful-integration/ (accessed on 20 November 2015).

34 Province of Salzburg, *Regionaler Aktionsplan Arbeitsmarktintegration wird ins Leben gerufen*, Salzburger Landeskorrespondenz, 12 October 2015, available at http://service.salzburg.gv.at/lkortj/Index?cmd=detail_ind&nachrid=55465 (accessed on 11 November 2015).

3.3. Organization of Measures to Promote Labour Market Integration

Integration touches on various policy areas in Austria. All levels of government, i.e. the Federal State, the provinces and the municipalities have responsibilities (Bußjäger, 2007).

3.3.1 Actors

A presentation of all actors and responsibilities at federal, provincial and municipal level would exceed the scope of this study. The following description is consequently limited to the actors at federal level. Other groups play a part alongside these, including the provinces and municipalities as well as numerous civil society organizations such as non-governmental organizations, associations and church-affiliated organizations.

The main responsibility, in particular with respect to general coordination, lies with the **Federal Ministry for Europe, Integration and Foreign Affairs**.³⁵ Pursuant to Part 2B of the Annex to Art. 2 of the 1986 Federal Ministry Law,³⁶ the scope of competence of the Federal Ministry for Europe, Integration and Foreign Affairs with regard to integration matters includes the following areas:

- Matters relating to social integration and the coexistence of individuals with and without a migration background;
- Coordination of general integration policy;
- Advisory boards and expert groups in integration matters;
- Subsidies in the field of integration including foundations and funds.

To meet these responsibilities, Section VIII was established as a separate Integration Section within the Federal Ministry for Europe, Integration and Foreign Affairs. Integration has been established as an area of competence within the Ministry of Foreign Affairs in order to generate positive synergy effects between foreign policy and integration policy, and reflects the strategy field of Austria's integration policy which aims at "integration from the very

35 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

36 FLG No. 76/1986, in the version of FLG I No. 11/2014.

beginning”. The goal, according to the Federal Ministry for Europe, Integration and Foreign Affairs, is to:

*start[...] right in the country of origin with measures to prepare migrants for their life in Austria in the best possible way, and continuing seamlessly all the way to their arrival in Austria and beyond, to ensure our peaceful, shared existence in a society at ease with its diversity.*³⁷

The **Austrian Integration Fund** also plays a major role at federal level. The Austrian Integration Fund is a fund under the Republic of Austria. As such it is a nationally active integration service provider and a partner of the Federal Ministry for Europe, Integration and Foreign Affairs. The Austrian Integration Fund provides information and counselling for people with a migration background, operates integration projects and informs the public about opportunities and challenges in the area of integration and migration.³⁸ The Austrian Integration Fund is also active on behalf of several federal ministries within the framework of the Integration Agreement, early childhood language instruction, and managing the European Asylum, Migration and Integration Fund (AMIF). In this way the Austrian Integration Fund acts in a special capacity as a partner for implementing the Federal State’s national integration strategy (Expert Council for Integration, 2015:20).

The **Federal Ministry of Labour, Social Affairs and Consumer Protection** and the **Public Employment Service (PES)** play special roles

37 Federal Ministry for Europe, Integration and Foreign Affairs, *Integration in Austria*, available at www.bmeia.gv.at/en/integration/ (accessed on 5 October 2015). The measures include e.g. the deployment of integration commissioners to the Austrian embassies in Ankara (Turkey) and Belgrade (Serbia) (Federal Ministry for Europe, Integration and Foreign Affairs, *Willkommen in Österreich – Erfolgreich integrieren von Anfang an*, Press Release, 8 October 2014, available at www.bmeia.gv.at/das-ministerium/presse/aussendungen/2014/10/willkommen-in-oesterreich-erfolgreich-integrieren-von-anfang-an/ (accessed on 5 October 2015) or the Austrian cultural orientation trainings (AUCO) for Syrian refugees, which are conducted by IOM in the framework of the second humanitarian admission programme (HAP II) in the transit countries Turkey, Jordan and Lebanon (IOM Austria, *AUCO – Austrian Cultural Orientation Trainings for Syrian Refugees*, available at www.iomvienna.at/sites/default/files/AUCO%20-%20Austrian%20Cultural%20Orientation%20Trainings%20for%20Syrian%20Refugees_EN.pdf (accessed on 5 October 2015).

38 Federal Ministry for Europe, Integration and Foreign Affairs, *The Austrian Integration Fund*, available at www.bmeia.gv.at/en/integration/the-austrian-integration-fund/ (accessed on 5 October 2015).

particularly in the area of labour market integration. Here, issues especially worth mentioning lie within the scope of competence of the Federal Ministry of Labour, Social Affairs and Consumer Protection and include matters relating to labour law, the labour market and matters involving social assistance (Part 2C of the Annex to Art. 2 of the 1986 Federal Ministry Law). Specifically, the Federal Ministry of Labour, Social Affairs and Consumer Protection is responsible for legislating and enforcing the Act Governing the Employment of Foreigners, the statute regulating labour market access for third country nationals.³⁹ To enforce the law, the Federal Ministry of Labour, Social Affairs and Consumer Protection delegates tasks to PES, a public service provider. The mandate of the latter includes the placement of workers in job vacancies, as well as supporting job-seekers and companies through counselling, information or skills training programmes subsidized by PES, and through direct funding.⁴⁰

The **social partners**,⁴¹ i.e. the groups representing the interests of employees and employers, also play an important role in labour market policy and integration. This is seen for instance in the advisory board of PES, whose members include representatives of the Austrian Trade Union Federation, the Chamber of Labour, the Austrian Federal Economic Chamber and the Federation of Austrian Industries.⁴²

3.3.2 Implementation and Coordination of Measures

With regard to the **implementation** of measures, the NAPI general guidelines on integration policy state that integration policy measures, and the implementation of such measures in operations, are to take place primarily in a decentralized manner within the normal structures at federal, provincial and municipal level in accordance with the subsidiarity principle (Austrian Federal Government, 2010:9–10). Similarly, Michael Girardi of the Federal Ministry for Europe, Integration and Foreign Affairs confirmed

39 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

40 PES, *Daten & Fakten*, available at www.ams.at/ueber-ams/ueber-ams/daten-fakten (accessed on 15 October 2015).

41 Die Sozialpartner Österreich, *Sozialpartner – Was ist das?*, available at www.sozialpartner.at/?page_id=127 (accessed on 1 February 2016).

42 PES, *Die Organisation des Arbeitsmarktservice*, available at <http://www.ams.at/ueber-ams/ueber-ams/daten-fakten/organisation> (accessed on 9 November 2015).

that, while the ministry is responsible for developing key concepts, many aspects of implementation had to be taken over by the competent ministries and regional authorities.⁴³ In this context “the social partners, interest group representatives, non-governmental organizations and businesses are [...] invited to contribute to the implementation of integration policy measures as active partners” (Austrian Federal Government, 2010:10). Specifically, the Federal State, the provinces and the municipalities all either directly provide integration measures or, as part of administering subsidies, mandate and fund institutions commissioned to carry out such measures. National funding is awarded based on the General Framework Guidelines for Granting Funding from the Federal Budget,⁴⁴ whereas funding awarded within the framework of the AMIF falls under the rules of the special guidelines⁴⁵ issued by the Federal Ministry for Europe, Integration and Foreign Affairs and the Federal Ministry of the Interior (Bußjäger, 2007).⁴⁶

An Advisory Board on Integration has been appointed to **coordinate** NAPI and to enable it to be implemented as effectively as possible in the long term. The board members include representatives of the federal ministries, the provinces, the associations of municipalities and cities and towns, the social partners and the Federation of Austrian Industries, and the Austrian Integration Fund, as well as representatives of humanitarian and church-affiliated organizations (Caritas, Diakonie, Hilfswerk, Red Cross and Volkshilfe). The board meets twice a year in the Federal Ministry for Europe, Integration and Foreign Affairs under the Austrian Integration Fund as chair. The purpose of the Advisory Board on Integration is to ensure networking, coordination and consultation as well as knowledge transfer among the actors playing a role in implementing NAPI and also to facilitate consultation on the findings published by the Expert Council for

43 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

44 FLG II No. 208/2014.

45 Special Guidelines issued by the Federal Ministry of the Interior and the Federal Ministry for Europe, Integration and Foreign Affairs Governing the Operation of the Asylum, Migration and Integration Fund (AMIF) 2014 – 2020 and the Awarding of Co-Financing within this Framework, GZ: BMI-BH1600/0094-I/3/a/2015.

46 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

Integration.⁴⁷ The legal basis for the Advisory Board on Integration is specified in Art. 18 of the Settlement and Residence Act. In addition, within the framework of an event referred to as the “Provincial Integration Officers Conference” all provincial ministers in charge of integration meet once a year in collaboration with representatives of the Federal State. The purpose of the conference is to promote the exchange of experiences, networking and cooperation among the individual provinces and the Federal State (Schmidt, 2014:105).

47 Federal Ministry for Europe, Integration and Foreign Affairs, *Advisory Board on Integration*, available at www.bmeia.gv.at/en/integration/advisory-board-on-integration/ (accessed on 5 October 2015).

4. MEASURES TO PROMOTE LABOUR MARKET INTEGRATION

The focus of this study is the integration into the labour market of persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title. The following section describes details of the state-funded measures introduced in the areas of language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, cultural orientation, housing, and guaranteed minimum resources, with the aim of promoting labour market integration. The description will also indicate the extent to which these measures are tailored to the specific needs of persons granted asylum, beneficiaries of subsidiary protection and to persons holding a humanitarian residence title or if they are eligible to access these measures. It needs to be kept in mind that many measures are comprehensive, and so not only cover one but several areas and include various target groups at the same time. It should also be noted that the description focuses mainly on measures taking place throughout the country. It is not possible to give a detailed description of all the numerous other projects implemented at provincial and municipal level.

4.1 Language Courses

The Austrian Federal Government views German language proficiency as a major prerequisite for participating in economic and social life in Austria. Promoting German language skills is consequently a major concern (Austrian Federal Government, 2010:11; Austrian Federal Government, 2015:2). In the view of Michael Girardi of the Federal Ministry for Europe, Integration and Foreign Affairs, language instruction, and especially the teaching of specialized language skills, is particularly important in the case of not manageable refugee migration, since this situation does not allow the requirement of a minimal knowledge of the language to constitute a condition for immigration to Austria. Girardi sees language skills as highly significant, as these represent a prerequisite for entering the Austrian labour

market.⁴⁸ According to the Public Employment Service (PES), only individuals with at least an A2 level of proficiency in German normally have a chance of finding employment.⁴⁹

4.1.1 General Measures

German course offerings are the result of joint efforts by the ministries concerned and by the service providers under contract with them as well as by the provinces. Specifically, of the roughly EUR 40 million in total funding available for German courses for migrants, 71 per cent is currently provided by PES and 19 per cent by the provinces, while the Austrian Integration Fund and Federal Ministry for Europe, Integration and Foreign Affairs each contribute four per cent and the Federal Ministry of the Interior two per cent.⁵⁰

Public Employment Service:

PES offers German courses throughout the country. The courses are held by various commissioned institutions as part of PES training for registered job-seekers. PES cites such courses as necessary since poor German skills are in some cases an impediment to job placement.⁵¹ Language courses do in fact account for a significant share of the training measures funded by PES. This is illustrated by the fact that two thirds of the funding provided by PES Vienna for integrating persons granted asylum and beneficiaries of subsidiary protection in 2015 was spent on language programmes, according to Gernot Mitter of the Vienna Chamber of Labour.⁵²

48 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

49 PES, *Leistungen des AMS für Asylberechtigte*, Press Release, 16 July 2015, available at www.ots.at/presseaussendung/OTS_20150716_OTS0065 (accessed on 6 October 2015).

50 Federal Ministry for Europe, Integration and Foreign Affairs, *7.300 new places in German courses for Syrian refugees*. Press Release, 16 April 2015, available at www.bmeia.gv.at/en/the-ministry/press/announcements/2015/04/7300-new-places-in-german-courses-for-syrian-refugees/ (accessed on 6 October 2015).

51 PES, *Leistungen des AMS für Asylberechtigte*, Press Release, 16 July 2015, available at www.ots.at/presseaussendung/OTS_20150716_OTS0065 (accessed on 6 October 2015).

52 Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

All individuals registered with PES have access to such course programmes.⁵³ Persons granted asylum, beneficiaries of subsidiary protection and individuals holding a Residence Permit Plus, having unrestricted access to the labour market, can register as job-seekers with the Public Employment Service and can correspondingly access such measures. PES does not, on the other hand, actively register and provide services to persons holding a Residence Permit or those with a Residence Permit for Individual Protection, as such individuals do not have unrestricted access to the labour market but instead require a work permit.⁵⁴ In addition to registering with PES, individuals have to present a social insurance number to participate in programmes.⁵⁵

Austrian Integration Fund:

The Austrian Integration Fund places participants in German courses. These are either held directly by the Fund or the participation at various external institutions⁵⁶ is financed as individual support to the participants.⁵⁷ The standard language courses and financial individual support are offered at the moment at the level ranging from alphabetization to B2 level of the Common European Framework of Reference for Languages. German courses targeted at specific occupations are provided – depending on the course format – at the level of A2 and B1 upwards.⁵⁸ By teaching professional language skills the latter have the goal of preparing participants for either direct labour market integration or admittance examinations and vocational

53 PES, *Anmeldeinformationen für AMS-Kurse*, available at www.ams.at/_eservice_docs/anmelde_infos.pdf (accessed on 11 October 2015).

54 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

55 See footnote 53.

56 The participation in German courses can be financially supported at those educational institutes that have an agreement with the Austrian Integration Fund. A database of educational institutions is available at Austrian Integration Fund, *Österreichische Kursinstitute*, available at <http://sprachportal.integrationsfonds.at/kurse/oesterreichische-kursinstitute.html> (accessed on 22 October 2015).

57 Interview with Jana Matischok, Austrian Integration Fund, 22 October 2015.

58 Ibid.

training.⁵⁹ The courses are funded by the Austrian Integration Fund, PES or other institutions and partially by the participants themselves. The Austrian Integration Fund can grant subsidies for persons granted asylum and beneficiaries of subsidiary protection (within the first three years from status recognition). Support for third-country nationals is available from PES. Employed persons registered as Vienna residents have access to support from the Vienna Employment Promotion Fund (waff).⁶⁰ The Austrian Integration Fund also advises migrants on funding for language courses and provides financial support for such courses in accordance with the subsidiarity principle for integration measures.⁶¹ Another offering by the Austrian Integration Fund is the Language Portal (www.sprachportal.at), which provides information about courses and examinations offered in Austria and makes materials for learning German available free of charge on the web in nine languages.⁶²

The courses and advice provided by the Austrian Integration Fund are directed at both third-country nationals as well as persons granted asylum and beneficiaries of subsidiary protection.⁶³ Persons holding a humanitarian residence title are not excluded from participating.⁶⁴ When applying for financial support from the Austrian Integration Fund individuals have to present personal identification, the asylum decision, an estimation of costs for the German course issued by an educational institution and a certificate of registered residence. When registering for the German courses for specific occupations, individuals have to demonstrate a minimum of A2-level

59 Austrian Integration Fund, *Deutschkurs „Einstieg in die Pflege“*, available at www.integrationsfonds.at/themen/kurse/deutschkurs-einstieg-in-die-pflege/ (accessed on 22 October 2015); Austrian Integration Fund, *Nostrifikationskurse*, available at www.integrationsfonds.at/themen/kurse/berufsspezifische-kurse/ (accessed on 22 October 2015).

60 Austrian Integration Fund, *Deutschkurse*, available at www.integrationsfonds.at/kurse/ (accessed on 12 October 2015).

61 Austrian Integration Fund, *Angebote des ÖIF im Bereich Sprache*, available at www.integrationsfonds.at/sprache/ (accessed on 6 October 2015).

62 Arabic, Bosnian/Croatian/Serbian, English, French, German, Hungarian, Polish, Rumanian and Turkish (Austrian Integration Fund, *Mein Sprachportal*, available at <http://sprachportal.integrationsfonds.at/english.html>, accessed on 24 November 2015).

63 See footnote 60.

64 Interview with Lisa Fellhofer, Austrian Integration Fund, 22 October 2015.

German skills but usually language skills at the B1-level are required. All courses require a minimum age of 18 years.⁶⁵

Other Institutions:

Various civil society organizations such as non-governmental organizations, associations and church-affiliated organizations additionally provide state-subsidized German courses in various provinces and municipalities. The courses are aimed at a variety of target groups, including persons granted asylum and beneficiaries of subsidiary protection. Some also have specialized content, examples of which include communication in private life and with authorities,⁶⁶ or preparation for courses leading to the completion of compulsory schooling and to subsequent vocational skills training programmes.⁶⁷

4.1.2 Specific Measures for the Target Group

In the face of the rising number of asylum-seekers and of accompanying numbers of recognized refugees and beneficiaries of subsidiary protection, the level of funding and the amount of course space was increased in 2015. In early 2015 the Federal Government specifically announced the creation of additional space in German courses especially to accommodate 7,300 persons granted asylum, mainly for recognized refugees from the Syrian Arab Republic.⁶⁸ In the summer of 2015 the Federal Ministry for Europe, Integration and Foreign Affairs announced that German courses would be

65 Interview with Jana Matischok, Austrian Integration Fund, 22 October 2015.

66 E.g. the language course “German to go+” offered by the centre for educational counselling *Peregina* and financed by AMIF and the Federal Ministry for Europe, Integration and Foreign Affairs (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 2, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

67 E.g. the “Integration Course German” offered by the association *Verein Einstieg* and financed by AMIF and the Federal Ministry for Europe, Integration and Foreign Affairs as well as the province of Salzburg and the city of Salzburg (*Verein Einstieg, Integrationskurs Deutsch*, available at <https://einstieg.or.at/deutschkurs&menu=126> (accessed on 30 October 2015)).

68 Federal Ministry for Europe, Integration and Foreign Affairs, *7.300 new places in German courses for Syrian refugees*. Press Release, 16 April 2015, available at www.bmeia.gv.at/en/the-ministry/press/announcements/2015/04/7300-new-places-in-german-courses-for-syrian-refugees/ (accessed on 6 October 2015).

expanded to accommodate an additional 10,000 participants.⁶⁹ Financing was obtained from funds earmarked for the labour market that flowed back to Austria from the European Globalisation Adjustment Fund and by reallocating funding for internal affairs and integration in the federal budget.⁷⁰

The spaces in language courses subsidized by the Federal Ministry for Europe, Integration and Foreign Affairs as part of the special quota are administered by the Austrian Integration Fund as individual support cases (i.e. funding is granted to individual participants rather than entire courses).⁷¹ Such courses are especially intended for persons granted asylum, within three years of being granted the status,⁷² and for beneficiaries of subsidiary protection, within three years of being granted that status the first time. To participate, persons granted asylum are required to present the written decision granting asylum and their convention passport, while beneficiaries of subsidiary protection must present their valid card as proof of subsidiary protection; both groups are required to submit a certificate of registered residence and an estimation of costs issued by a certified educational institution.⁷³

In addition a number of civil society organizations throughout Austria offer state-funded German courses specifically for persons granted asylum and beneficiaries of subsidiary protection in the various provinces. Several institutions providing courses have aligned their programmes so as to avoid any potential impediments to participation. Examples here include language courses entailing simultaneous childcare, in order to especially facilitate the

69 Federal Ministry for Europe, Integration and Foreign Affairs, *Integrationsbericht 2015*, News, available at www.bmeia.gv.at/das-ministerium/presse/aktuelles/integrationsbericht-2015/ (accessed on 9 October 2015).

70 See footnote 68.

71 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015; Interview with Jana Matischok, Austrian Integration Fund, 22 October 2015.

72 If before granting asylum subsidiary protection had already been granted, then within three years after the initial granting of subsidiary protection (Austrian Integration Fund, *Information zum Deutschkurs-Sonderkontingent*, available at www.integrationsfonds.at/fileadmin/content/AT/Downloads/ServiceBeruf/Infoblatt_Sonderkontingent_Deutsch_Arabisch.pdf, accessed on 5 October 2015).

73 Ibid.

participation of women,⁷⁴ as well as courses offered either in remote areas or with reimbursement of transit fares, allowing individuals living in outlying areas to participate.⁷⁵ Some language courses have also been especially designed to facilitate access to the labour market.⁷⁶

4.1.3 Challenges and Good Practices

A study by UNHCR observes that persons granted asylum and beneficiaries of subsidiary protection face special challenges in practice when seeking access to language training. Due to post-traumatic stress symptoms, including disorientation, lack of drive and headaches, beneficiaries of international protection find it very challenging to participate regularly in a language course (UNHCR, 2013b:52). Another challenge is the fact that many women in particular are illiterate and have had no previous formal education, so that they do not have the basic prerequisites for acquiring a new language (UNHCR, 2013b:51). The availability of affordable, flexible childcare is also cited as a challenge to women participating in language training (UNHCR, 2013b:58).

One best practice developed in response to these challenges is the “*Mama lernt Deutsch!*” (Mom is learning German!) course offered by Vienna Municipal Department 17 (Integration and Diversity). In this course mothers learn German through topics from their everyday lives, such as

74 E.g. the language courses offered by Caritas in Lower Austria in the framework of the program “meeting point Austria”. These are financed by the Federal Ministry for Europe, Integration and Foreign Affairs, the Federal Ministry of the Interior, the province of Lower Austria and PES (Caritas Vienna, *Treffpunkt Österreich*, available at www.caritas-wien.at/hilfe-angebote/asyl-integration/beratung-fuer-asylwerberinnen/treffpunkt-oesterreich/, accessed on 16 October 2015).

75 E.g. the program L.I.F.E (Learning, Integrating, Supporting, Dissolving Boundaries), which is implemented by the association *Menschen.Leben* and financed by the Federal Ministry of the Interior, the provinces of Tyrol and Vorarlberg and the European Refugee Fund (Menschen.Leben, *L.I.F.E. Deutschkurse*, available at www.menschen-leben.at/bildung/deutschkurse/, accessed on 16 October 2015).

76 E.g. the Project “SprachInklusive” of the Carinthian *Berufsförderungsinstitut GmbH*, which offers language courses focusing on the labour market. In addition, the participants receive counselling taking into account their skills and biographies in order to support them with skills recognition procedures (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 8, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

kindergarten, school, raising children, work, health, dealing with authorities, and living. Literacy courses are also provided when required. The course includes free childcare during course hours.⁷⁷ The programme was recognized with the Vienna Integration Week's MigAward in the category of Project of the Year in 2013.⁷⁸

A further challenge identified in the UNHCR study is the fact that access to language training is restricted during the ongoing asylum procedure (UNHCR, 2013c:3). As a means of improving the chances of employment immediately upon acquiring asylum or subsidiary protection status, some suggest offering German courses already during the asylum procedure; this recommendation has been proposed by various actors, including the Federal Ministry of Labour, Social Affairs and Consumer Protection, the Austrian Federal Economic Chamber, and the Chamber of Labour.⁷⁹

4.2 Education

In addition to a knowledge of German, completion of schooling is a major factor influencing labour market access in Austria. Completing compulsory schooling is specifically a precondition for further education and training in most cases, for instance at general and vocational secondary schools. While not a legal requirement, completed schooling is a de facto prerequisite for taking up an apprenticeship (Biffi/Pfeffer/Skrivanek, 2012:50).

77 Wien.at, *Basisbildungskurse für Mütter – „Mama lernt Deutsch!“*, available at www.wien.gv.at/menschen/integration/deutsch-lernen/mama-lernt-deutsch/ (accessed on 12 October 2015).

78 Wien.at, *MigAward 2013 – „Mama lernt Deutsch“ ist Projekt des Jahres*, available at www.wien.gv.at/menschen/integration/deutsch-lernen/mama-lernt-deutsch/migaward.html (accessed on 12 October 2015).

79 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015; Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015; Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

4.2.1 General Measures

Adult Education Initiative:

To facilitate access to the labour market for individuals with inadequate minimum qualifications, the Federal Government established a funding programme in 2012, designed to be uniform throughout the country and accorded between the Federal State and the provinces (Agreement Pursuant to Art. 15a of the Federal Constitutional Act⁸⁰).⁸¹ The programme, entitled “Adult Education Initiative: Compulsory Schooling and Basic Education” (Biffl, 2014:132), runs until 2017 and comprises acquiring basic elements of education on the one hand as well as the opportunity to make up compulsory schooling at no charge.⁸² Grants are funded by the particular province, with the Federal Ministry of Education and Women’s Affairs reimbursing the province for 50 per cent of the expense incurred.⁸³ Activities in the area of basic education can also obtain co-funding from the European Social Fund (with the exception of measures offered in the Province of Burgenland). To implement programme modules, the Federal Ministry of Education and Women’s Affairs, representing the Federal State, or the provinces contract the activities out to accredited institutions (Adult Education Initiative, 2015:6, 38).

The group targeted for the completion of compulsory schooling includes young people and adults from the age of 15 residing in Austria who have not completed the eighth grade or any higher level of schooling and have not previously completed any courses for making up compulsory schooling (Adult Education Initiative, 2015:26). The area of basic education is open to all adults from the age of 15 residing in Austria who require basic education, regardless of their country of origin, first language and any previously completed schooling (Adult Education Initiative, 2015:18).

80 Federal Constitutional Act, FLG No. 1/1930, in the version of FLG I No. 194/1999.

81 Agreement Pursuant to Art. 15a of the Federal Constitutional Act Between the Federal State and the Provinces Stipulating the Financing of Education Measures in the Areas of Basic Education and Make Up of Compulsory Schooling for the Years 2015 to 2017, FLG I No. 30/2015, in the version of FLG I No. 71/2015.

82 Adult Education Initiative, *Initiative Erwachsenenbildung – was ist das?*, available at www.initiative-erwachsenenbildung.at/initiative-erwachsenenbildung/was-ist-das/ (accessed on 16 October 2015).

83 Federal Ministry of Education and Women’s Affairs, *Basisbildung und Pflichtschulabschluss*, available at www.bmbf.gv.at/schulen/bw/zb/basisbildung_21948.pdf?4dzgm2 (accessed on 16 October 2015).

Other Institutions:

Alongside the educational programmes offered under the Adult Education Initiative, state-funded courses are also offered in various provinces and implemented by various commissioned institutions. Persons granted asylum and beneficiaries of subsidiary protection fall within the target groups, as do other third-country nationals.⁸⁴

4.2.2 Specific Measures for the Target Group

The programme areas offered through the Adult Education Initiative are not principally tailored to meet the specific needs either of migrants in general or specifically of persons granted asylum, beneficiaries of subsidiary protection or persons holding a humanitarian residence title. The Adult Education Initiative does report, however, that individuals with a migration background represent a large share of the group targeted by the programme area for completing compulsory schooling (Adult Education Initiative, 2015:26). Furthermore, in implementing the programme elements, the commissioned institutions in certain cases explicitly address the needs of persons granted asylum and beneficiaries of subsidiary protection, since these institutions are tasked with adapting the educational courses to the particular target group (Adult Education Initiative, 2015:44). Corresponding examples are LEFÖ which, with its basic education programmes, explicitly targets victims of trafficking in women and other groups,⁸⁵ and the “Back to school” project run by UKI (Support Committee for the Integration of

84 E.g. the Adult Education Centres in Vienna offer third-country nationals, persons granted asylum and beneficiaries of subsidiary protection educational coaching in combination with professional German language courses. The target group is comprised of young people between 19 and 25 years old who have already completed a first measure of basic education or who were referred by a counselling organization and are in need of further support in order to integrate into the Austrian educational system and labour market. (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 4, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

85 LEFÖ, *Lernzentrum für Migrantinnen*, available at www.lefoe.at/index.php/bildungsangebote.html#Angebot (accessed on 16 October 2015).

Migrants), which explicitly addresses groups including persons granted asylum and beneficiaries of subsidiary protection.⁸⁶

4.2.3 Challenges and Good Practices

Persons granted asylum and beneficiaries of subsidiary protection encounter special challenges when attempting to complete either compulsory education or secondary education at some level. In a 2013 study UNHCR specifically mentions that the frequently precarious financial situation of beneficiaries of international protection prevents them from investing in education (UNHCR, 2013b:53). Other challenges are identified in the form of: missing documents (for example school-leaving certificates from the countries of origin), the distances involved in attending educational courses that are mostly offered in major towns (UNHCR, 2013b:58), loss of knowledge while education becomes outdated during the period of the asylum procedure (UNHCR, 2013b:38), and the frequently poor health condition of individuals who in some cases are traumatized (UNHCR, 2013b:38).

Whereas the state-funded projects and programmes mentioned above are aimed at providing basic education, the MORE initiative is an exception to this. The initiative was founded in September 2015 by Universities Austria, an association established for the purpose of coordinating activities among Austria's 21 state universities. The goal is to help persons granted asylum and beneficiaries of subsidiary protection as well as asylum-seekers and persons with tolerated stay to advance their knowledge and their language proficiency. This is done by facilitating access to courses and lectures at Austrian universities. The services offered also include procedures for identifying qualifications, exemption from study and course fees, library access and issuing certificates of course attendance. In addition student volunteers assist MORE students in day-to-day university activities. MORE was launched during the 2015/2016 winter semester in a pilot phase that currently involves 16 participating universities. The initiative is supported by Caritas, Diakonie, the Federation of Austrian Industries, the university

86 Support Committee for the Integration of Migrants (UKI), *Back to school*, available at www.uki.or.at/site/unserearbeit/jugendlicheohnehauptschul/articel/article/63.html (accessed on 15 October 2015).

preparation programmes at the Vienna universities, and the Austrian Student Union.⁸⁷

4.3 Vocational Education and Training and Apprenticeships

Vocational education and training as well as the apprenticeship are the two models in Austria that provide the qualifications to work in a profession. Vocational education and training is defined as “education and training which aims to equip people with knowledge, know-how, skills and/or competences required in particular occupations or more broadly on the labour market” (CEDEFOP, 2014:292). An apprenticeship, in contrast, is systematic, long-term training alternating periods at the workplace and in an educational institution or training centre leading to a specific occupation (CEDEFOP, 2014:25–26).

4.3.1 General Measures

Public Employment Service:

Throughout Austria, the Public Employment Service (PES) provides information on training and educational opportunities. Such information is available on the web to all groups of individuals. PES additionally places registered persons in the courses it funds, which are held by various organizations on behalf of PES.⁸⁸ These courses are thus open to any individuals registered with PES as unemployed or job-seekers and who are able to present a social insurance number.⁸⁹ This group includes persons granted asylum, beneficiaries of subsidiary protection and persons holding a Residence Permit Plus (a sub-category of the persons holding a humanitarian residence title) because all of them enjoy unrestricted access

87 Universities Austria, *MORE – Offer*, available at <http://uniko.ac.at/projekte/more/angebot/index.php?lang=EN> (accessed on 27 October 2015); Universities Austria, *Presseunterlage zum Pressegespräch der Österreichischen Universitätenkonferenz (uniko) am 17. September 2015*, available at http://uniko.ac.at/modules/download.php?key=9346_DE_O&cs=B24A (accessed on 27 October 2015).

88 PES, *Aus- und Weiterbildung*, available at www.ams.at/service-arbeitsuchende/aus-weiterbildung (accessed on 11 October 2015).

89 PES, *Anmeldeinformationen für AMS-Kurse*, available at www.ams.at/_eservice_docs/anmelde_infos.pdf (accessed on 11 October 2015).

to the labour market.⁹⁰ PES additionally offers education and training allowances to cover the living expenses, course fees and incidental expenses arising during skills training and vocational orientation programmes. Such allowances are available to the unemployed and in special cases to employed persons whose income does not exceed a specified maximum. They are granted on condition that the individual is either registered with PES as unemployed or presents proof of the level of income. These individuals also have to participate in a counselling session at PES.⁹¹ These services are thus also available to persons granted asylum and to beneficiaries of subsidiary protection as well as to holders of a Residence Permit Plus. Persons holding a Residence Permit or Residence Permit for Individual Protection also fall into this category, provided they are currently employed.⁹² While PES is responsible for funding the courses, a large number of them are co-funded by the European Social Fund.⁹³

Other Institutions:

Various other state-co-funded measures are offered in the area of vocational education and training and apprenticeships by a variety of church-affiliated organizations and associations in the different provinces. Such measures include programmes that are open to all third-country nationals and are aligned with the goal of helping participants acquire general qualifications for their career start,⁹⁴ as well as projects aimed at providing prerequisite qualifications for beginning an occupation in specific industries and accessible for both third-country nationals in general as well

90 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

91 PES, *Aus- und Weiterbildungsbeihilfen*, available at www.ams.at/service-arbeitsuchende/finanzielles/foerderungen/aus-weiterbildungsbeihilfen (accessed on 11 October 2015).

92 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

93 PES, *Geförderte AMS-Kurse*, available at http://wbdb.ams.or.at/wbdb/index_wbdb.jsp?ams=J&znid=1444203824186 (accessed on 11 October 2015).

94 E.g. the project “Pole position – Ready for the labour market” implemented by the Vocational Training Institute and financed by AMIF, the Federal Ministry for Europe, Integration and Foreign Affairs and the province of Tyrol. The project facilitates the sustainable integration into the Austrian labour market of third-country nationals who have a longer-term residence perspective through targeted linguistic and professional qualification (Vocational Training Institute (BFI) Tyrol, *PolePosition – Startklar für den Arbeitsmarkt*, available at www.bfi-tirol.at/weiterbildung/oeffentliche-partner/eu-projekte.html#c62 (accessed on 12 October 2015).

as for persons granted asylum and beneficiaries of subsidiary protection specifically.⁹⁵

4.3.2 Specific Measures for the Target Group

Among the measures adopted during closed consultations on 11 September 2015 in response to the large number of beneficiaries of international protection, the Federal Government resolved to expand existing programmes in the area of vocational education and training and apprenticeships to accommodate (in particular young) persons granted asylum and beneficiaries of subsidiary protection as well as unaccompanied minors (Republic of Austria, 2015). A new measure in this area is the pilot project referred to as “Placing Apprentices Across Regions”, which was launched in December 2015. The goal is to place 100 young persons up to the age of 25 who have been granted asylum in apprenticeships in other regions, based on skills assessment in their first languages. On-site support is also provided to the apprentices and their firms. The programme arose from the observation that, while two thirds of young persons granted asylum reside in Vienna, apprenticeships are scarce in that region, whereas in other provinces there are too few candidates for existing vacant apprentice positions in various industries. The measure is offered jointly by the Austrian Federal Economic Chamber, PES, the Federal Ministry of Science, Research and Economy and the Federal Ministry of Labour, Social Affairs and Consumer Protection.⁹⁶

In addition, a number of state-funded measures had previously been established for persons granted asylum and beneficiaries of subsidiary protection, and these are still being carried out by various commissioned institutions (for example church-affiliated organizations and associations)

95 E.g. the project “Modular Qualification and Activation” provides professional qualification in the field of office management. The project is offered by the Austrian Young Workers Movement in Vienna and Lower Austria and is co-financed by AMIF (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 11, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

96 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015; Austrian Federal Economic Chamber, *Wir schaffen Chancen! Fachkräftepotential stärken*, available at www.wko.at/Content.Node/kampagnen/fachkraeftepotential/index.html (accessed on 20 November 2015).

in several of the provinces. These include programmes generally designed to help individuals get a career start while aiming to eliminate barriers to access,⁹⁷ projects that are aimed at providing prerequisite qualifications for beginning an occupation in specific industries⁹⁸ and projects that facilitate job market entry by way of what is referred to as “transitional” jobs.⁹⁹

4.3.3 Challenges and Good Practices

The precarious financial situation of beneficiaries of international protection represents a challenge for accessing not only education (refer to Section 4.2.3) but also vocational education and training and apprenticeships. Specifically, according to research by UNHCR, many individuals find themselves under pressure to quickly enter the job market and subsequently do not take advantage of opportunities for vocational education and training or for acquiring higher skills (UNHCR, 2013b:53; UNHCR, 2015:39).

Poor proficiency in German and illiteracy are reported as other challenges (UNHCR, 2013b:51). Yet the geographical distance from training programmes is also an issue (UNHCR, 2013b:58). The UNHCR study reveals that beneficiaries of subsidiary protection with only a

97 E.g. the Caritas project “Quantensprung”, which is co-financed by AMIF. The project’s aim is to overcome the various barriers that make it difficult for persons granted asylum and beneficiaries of subsidiary protection to enter the labour market through offering counselling, coaching, specialized courses and skills training (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 10, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

98 E.g. the project “Fachwerkstatt03”, implemented by the Vocational Training Institute Upper Austria and financially supported by AMIF. The project offers for persons granted asylum and beneficiaries of subsidiary protection prerequisite qualifications in various industries such as health professions or catering. The training courses include a practical part and internships (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 9, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

99 E.g. the project “StützPunkt”, implemented by the association SAUM and financed by PES and the province of Upper Austria. The project offers persons granted asylum and beneficiaries of subsidiary protection who are job-seeking, who are aged 16 year or older and who are eligible for Needs-based Guaranteed Minimum Resources a fully insured so called “transitional” job in the extent of 30 hours per week and for the duration of one year (Verein SAUM, *StützPunkt*, available at www.saum.at/cms-projekte-betriebe/stuetzpunkt/stuetzpunkt.html, accessed on 12 October 2015).

temporary residence permit face a special challenge in obtaining more than short-term training or education. UNHCR cites a report by the association *Volkshilfe* of the province of Upper Austria, which states that although many firms have vacant apprentice positions they are cautious about filling them with beneficiaries of subsidiary protection, out of fear of investing in someone whose prospects of long-term residence in Austria are uncertain (UNHCR, 2015:39). This was substantiated by Margit Kreuzhuber of the Austrian Federal Economic Chamber. She stated that the resource investment required from firms was initially greater when hiring individuals who had not gone through the Austrian school and training system and who displayed a poor knowledge of German and were possibly suffering from the effects of trauma. She added that having only a temporary residence title, implying uncertainty for the employer as to how long the employee would remain with the company, was correspondingly an obstacle.¹⁰⁰

An example of a good practice that provides assistance in overcoming this obstacle can be seen in the project “Paths to Education – Training Perspectives for Unaccompanied Young Refugees” offered by *Lobby.16*, an association. The project supports in particular unaccompanied minors and young refugees in finding an apprenticeship. The offerings range from skills training courses and vocational orientation to mentoring. The project was recognized with the *SozialMarie* Award in 2012, a prize for social innovation in Europe. The project receives funding from the Federal Ministry for Europe, Integration and Foreign Affairs, and PES, in addition to banks, foundations and private donors.¹⁰¹

4.4 Identification and Recognition of Qualifications

The identification and subsequent recognition of qualifications is generally important as a means of avoiding over-qualification or being

100 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015.

101 Lobby.16, *Unser Kernprojekt: Bildungswege – ausbildungsbezogene Perspektiven für unbegleitete junge Flüchtlinge*, available at www.lobby16.org/projekte.htm (accessed on 24 November 2015).

employed in the Austrian labour market at a level below the individual's actual level of qualification (UNHCR, 2013b:31–34).¹⁰²

4.4.1 General Measures

To date Austria has no uniform rules for recognizing qualifications acquired outside the country. Distinctions are instead based on what is to be recognized, whether it be for example a diploma, a completed apprenticeship or graduation from university studies. Legal provisions relating to recognition are found in various statutes at federal and provincial levels (Bichl, 2015:1–2). Competence for the activities involved in identifying and recognizing qualifications correspondingly lies with various ministries, authorities and institutions.¹⁰³ Two main contact points exist for obtaining counselling on the recognition of qualifications acquired in foreign countries.

Contact Points for Persons with Qualifications from Foreign Countries (ASTs):

The ASTs are responsible for providing advice on the recognition of vocational qualifications.¹⁰⁴ The five contact points throughout Austria are integrated in – and operated by – already existing counselling centres run by non-governmental organizations and associations.¹⁰⁵ The ASTs are funded or co-funded from the budget of the Federal Ministry of Labour, Social Affairs and Consumer Protection.¹⁰⁶ They provide free information in several languages as well as counselling and assistance throughout recognition and assessment procedures; this service also includes obtaining

102 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

103 For further information see Bichl, 2015.

104 Contact Points for Persons with Qualifications from Foreign Countries (AST), *Anlaufstelle für Personen mit im Ausland erworbenen Qualifikationen*, available at www.anlaufstelle-erkennung.at/anlaufstellen (accessed on 29 September 2015).

105 For a list of ASTs see: Contact Points for Persons with Qualifications from Foreign Countries (AST), *Anlaufstelle für Personen mit im Ausland erworbenen Qualifikationen*, available at www.anlaufstelle-erkennung.at/anlaufstellen (accessed on 29 September 2015).

106 The AST in Vienna is co-financed by the Federal Ministry of Labour, Social Affairs and Consumer Protection, the Viennese Municipal Department 17 and the Vienna Employment Promotion Fund (Counselling Centre for Migrants, *Anlaufstelle für Personen mit im Ausland erworbenen Qualifikationen in Wien*, available at www.migrant.at/austria_vindobona/erreichbarkeit/perspektive.html, accessed on 8 October 2015).

certified translations of diplomas, certificates and other documents and forwarding the translations to an assessment centre where required.¹⁰⁷ The ASTs' entire range of counselling services are open to all individuals residing in Austria who have acquired formal qualifications outside Austria and have issues concerning the recognition of their competencies and the potential value of those skills in employment.¹⁰⁸ The services thus principally target all third-country nationals.¹⁰⁹ A prerequisite for taking advantage of the services is a registered residence in Austria, in the province where the counselling centre is located.¹¹⁰

National Academic Recognition Information Centre (ENIC-NARIC Austria):

ENIC-NARIC Austria is responsible for the international recognition (nostrification) of academic degrees. The centre is established within, and is funded by, the Federal Ministry of Science, Research and Economy.¹¹¹ ENIC-NARIC Austria is the contact point for individuals from everywhere in Austria, while designated contact persons are responsible for individual groups of countries of origin.¹¹² Services include providing information and counselling, whereas the universities (of applied sciences) are responsible for recognition in the individual case. The recognition procedure is open to all persons able to demonstrate that recognition is a compulsory prerequisite for the desired job position in Austria.¹¹³ Mainly third-country nationals fall within this category (Biffi/Pfeffer/Skrivanek, 2012:51). Persons

107 See footnote 104.

108 See footnote 106.

109 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

110 See footnote 106.

111 ENIC-NARIC Austria is part of the international networks ENIC (European Network of Information Centres), founded by the European Council and UNESCO, and NARIC (National Academic Recognition Information Centres), founded by the EU (Federal Ministry of Science, Research and Economy, *ENIC NARIC AUSTRIA – Anerkennung von Hochschulabschlüssen*, available at <http://wissenschaft.bmwf.gv.at/bmwf/studium/academic-mobility/enic-naric-austria/>, accessed on 5 October 2015).

112 Federal Ministry of Science, Research and Economy, *Contact point and contact persons*, available at <http://wissenschaft.bmwf.gv.at/home/studies/enic-naric-austria/contact-point-and-contact-persons/> (accessed on 5 October 2015).

113 Federal Ministry of Science, Research and Economy, *Wie verläuft eine Nostrifizierung?*, available at <http://wissenschaft.bmwf.gv.at/bmwf/studium/academic-mobility/enic-naric-austria/wie-verlaeuft-eine-nostrifizierung/> (accessed on 5 October 2015).

granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title may also access the service.¹¹⁴ The documents to be presented include a passport as well as evidence of the status of the foreign university or educational institution, detailed documentation of the foreign course of studies, a certificate of completion of studies and details of the desired employment position. The applicant is required to bear associated costs.¹¹⁵

Other Institutions:

Alongside the contact points, other state-funded measures exist for the purpose of facilitating access to information about the recognition of qualifications. Examples of these include the booklet entitled “Recognition ABC – Recognition of Foreign Professional and Educational Qualifications”, published by the Federal Ministry for Europe, Integration and Foreign Affairs and the Austrian Integration Fund,¹¹⁶ and the website www.berufsanerkennung.at.

4.4.2 Specific Measures for the Target Group

A “Competency Check” was introduced in mid-2015 for persons granted asylum and beneficiaries of subsidiary protection who are registered with the Public Employment Service (PES).¹¹⁷ The pilot project, which was commissioned by the Federal Ministry of Labour, Social Affairs and Consumer Protection, and is being run by PES and non-affiliated commissioned institutions, was launched in Vienna in late August 2015.¹¹⁸ The goal of the five-week course is to assess participants’ previously acquired qualifications and skills as a means of facilitating job competencies, as well as to initiate individualized programmes of further training where required, with the aim of enabling participants to rapidly become integrated into the

114 Telephone interview with Heinz Kasparovsky, Federal Ministry of Science, Research and Economy, 13 October 2015.

115 See footnote 113.

116 Austrian Integration Fund, *Anerkennungs-ABC*, available at www.integrationsfonds.at/themen/publikationen/aner kennungs-abc/ (accessed on 29 September 2015).

117 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

118 Der Standard, *AMS Wien bietet Kompetenzchecks und Deutschkurse an*, 8 September 2015, available at <http://derstandard.at/2000021857110/AMS-Wien-bietet-Kompetenzchecks-und-Deutschkurse-fuer-Fluechtlinge-an> (accessed on 30 September 2015).

labour market.¹¹⁹ At the same time the participants learn German in courses offered by PES.¹²⁰ At the end of the Competency Check, all participants receive a final report showing their competencies. This report then serves as the basis for PES to subsequently provide counselling and assistance.¹²¹ Competency Checks are initially being offered to roughly 1,000 participants in four languages (Arabic, Farsi, French and Russian). Plans call for the project to be continued in 2016 and for an additional 9,000 individuals to benefit from it.¹²² It is also planned to ultimately establish the project nationwide (Republic of Austria, 2015:4).

Another project is a job-related test, which the Austrian Federal Economic Chamber has been applying since December 2015. The “WKO Jobprofil” competency assessment is administered by the Chamber’s Institute for Economic Promotion in Arabic, English, French and German, and soon also in Farsi. An evaluation interview takes place after the assessment. The results are made available to PES as an aid to placement in the most suitable apprenticeship or for planning further career steps. The WKO Jobprofil assessment is initially being used in a pilot phase with 150 young refugees.¹²³

There are additional state-funded measures to specifically help persons granted asylum and beneficiaries of subsidiary protection in having their qualifications recognized. These measures, which are implemented in the individual provinces by various commissioned institutions (such as church-affiliated organizations and associations), include assistance in the

119 Federal Ministry of Labour, Social Affairs and Consumer Protection, *Hundstorfer: Asylberechtigte rasch in den Arbeitsmarkt eingliedern*. News, 11 September 2015, available at www.bmask.gv.at/site/Startseite/News/Hundstorfer_Asyloberechtigte_rasch_in_den_Arbeitsmarkt_eingliedern (accessed on 30 September 2015); PES, *AMS Wien startet Pilotprojekt zur Vermittlung von Flüchtlingen*, available at www.ams.at/wien/ueber-ams/medien/ams-wien-news/ams-wien-startet-pilotprojekt-zur-vermittlung-von-fluechtligen (accessed on 30 September 2015).

120 See footnote 118.

121 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

122 PES, *Wieder mehr Qualifizierungsangebote*. News, 1 October 2015, available at www.ams.at/wien/ueber-ams/medien/ams-wien-news/wiemehr-qualifizierungsangebote (accessed on 8 October 2015).

123 Austrian Federal Economic Chamber, *Wir schaffen Chancen! Fachkräftepotential stärken*, available at www.wko.at/Content.Node/kampagnen/fachkraeftepotenzial/index.html (accessed on 20 November 2015); Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015.

recognition of qualifications within the framework of broader programmes aimed at labour market integration. The services range from counselling¹²⁴ to assistance during recognition procedures and at appointments with authorities.¹²⁵

4.4.3 Challenges and Good Practices

According to a UNHCR study, beneficiaries of international protection face a challenge when seeking recognition for their vocational and educational qualifications. The main reason cited is missing documents, a fact corroborated by the Federal Ministry of Labour, Social Affairs and Consumer Protection.¹²⁶ Such documents are either left in the country of origin upon fleeing, are lost or destroyed. Another obstacle to achieving recognition of qualifications arises where individuals with international protection have not completed formal education in their country of origin or had to interrupt their educational careers to flee the country. Inadequate financial resources can also represent a challenge, as the UNHCR report observes (UNHCR, 2013b:31, 69).

The “Competency Check” pilot project is identified by Michael Girardi of the Federal Ministry for Europe, Integration and Foreign Affairs as a good practice when it comes to the identification of the target group’s qualifications, competencies and skills.¹²⁷ The recently launched “WKO Jobprofil” programme is also seen as highly promising. The goal in both

124 E.g. the project “Labour Market Integration” by *Volkshilfe* in Upper Austria, which is financed by the province of Upper Austria and PES in Upper Austria. The project offers initial counselling regarding the recognition or equalization of vocational training acquired abroad (Volkshilfe Upper Austria, *Arbeits-Markt-Integration*, available at www.volkshilfe-ooe.at/erwachsene/arbeit/ami/, accessed on 30 October 2015).

125 E.g. the centre for educational counselling “Carbiz” run by Caritas Vienna. The centre supports in cooperation with PES persons granted asylum and beneficiaries of subsidiary protection, who have completed their education or vocational education and training in their countries of origin, with the recognition of their certificates and with the administrative proceedings. The project is financed by the Federal Ministry of the Interior, the Federal Ministry for Europe, Integration and Foreign Affairs, the EU and the Vienna Employment Promotion Fund (Caritas Vienna, *Carbiz Bildungsberatung*, available at www.caritas-wien.at/hilfe-angebote/asyl-integration/ausbildung/carbiz-bildungsberatung/, accessed on 25 October 2015).

126 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

127 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

projects is to assess the migrants' own skills and qualifications and so incorporate these to initiate appropriate measures for further training or for placement in apprenticeships. Consequently, individuals are assisted in ultimately achieving a recognized level of qualification. Some actors, such as the Austrian Federal Economic Chamber and the Vienna Chamber of Labour, have come out in favour of carrying out such an assessment of competencies and qualifications and initiating the recognition process already during asylum procedures. It is argued that this would allow the persons to meet the conditions for labour market integration as soon as they are granted asylum status.¹²⁸

4.5 Counselling

Austria has an abundance of counselling and support services aimed at helping migrants, and in particular persons granted asylum and beneficiaries of subsidiary protection, successfully enter the job market. While specifically focusing on employment, such services also address other issues that indirectly impact the chances of obtaining a job. Examples of such issues include language, recognition and evidence of qualifications, and housing, but also discrimination and a lack of personal network (UNHCR, 2013b:61ff.)

4.5.1 General Measures

Austrian Integration Fund:

The Austrian Integration Fund's Welcome Desks are a nationwide network of contact points for migrants in Austria. They offer initial counselling in various languages. Initial counselling involves a one-on-one session, while the individual is also provided with information material on the integration process in Austria, addressing the issues of residence, language, education, occupation, health, family, housing, finances as well as culture and recreation (Austrian Integration Fund, n.d.:22). There are seven integration centres with such Welcome Desks throughout Austria

128 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015; Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

offering counselling¹²⁹ and additional 17 mobile Welcome Desks that offer counselling in the provinces as needed.¹³⁰ Welcome Desks are intended to serve the entire target group of the Austrian Integration Fund, i.e. they are accessible for third-country nationals and persons with a migration background but are also expressly open to persons granted asylum and beneficiaries of subsidiary protection. The fund actively seeks to make persons granted asylum and beneficiaries of subsidiary protection aware of the opportunity for initial counselling. Specifically, the written asylum decision has been informing recipients of the possibility of an initial counselling interview since 2014. Information material is also on display at the Federal Office for Immigration and Asylum (Austrian Integration Fund, n.d.:24). The free of charge services are also open to other third-country nationals, including persons holding a humanitarian residence title. There are no prerequisites for accessing counselling.¹³¹

Public Employment Service:

In addition, the Public Employment Service (PES) provides nationwide personal job search counselling to individuals registered as unemployed (PES, 2015:21). Counselling services are open to all individuals registered with PES as unemployed;¹³² this consequently also includes persons granted asylum, beneficiaries of subsidiary protection and persons holding a Residence Permit Plus (a sub-category of the persons holding a humanitarian residence title).¹³³ In the special case of persons with a migration background, in addition to support for seeking employment, PES offers German courses and training to enhance qualifications as well as counselling at specialized institutions. The latter, provided in the client's first language, addresses issues such as settlement, authorization to enter the labour market and recognition of formal qualifications (PES, 2015:28). At the same time PES provides funding to counselling and support centres dedicated to enhancing client's

129 Austrian Integration Fund, *Die ÖIF-Standorte und Welcome Desks auf einen Blick*, available at www.integrationsfonds.at/oeif-standorte/ (accessed on 25 November 2015).

130 Austrian Integration Fund, *Mobile Welcome Desks in Österreich*, available at www.integrationsfonds.at/themen/integrationszentren/mobile-welcome-desks (accessed on 21 October 2015).

131 Interview with Lisa Fellhofer, Austrian Integration Fund, 22 October 2015.

132 PES, *Mein 1. AMS-Besuch*, available at www.ams.at/service-arbeitsuchende/arbeitsuche/mein-1-ams-besuch (accessed on 27 October 2015).

133 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

chances of job placement and to supporting them in employment integration.¹³⁴ To participate in such programmes, individuals must present an official photo identification document (e.g. passport, driving licence) and a health insurance card, in addition to being registered with PES.¹³⁵

Other Institutions:

Besides the above-mentioned, there are numerous other counselling services for migrants, which are provided in the different provinces and municipalities by various civil society organizations and funded or co-funded by the state. These include for example labour market support services¹³⁶ or comprehensive services specially targeted at women.¹³⁷ Some of these counselling services are explicitly aimed at persons granted asylum and beneficiaries of subsidiary protection or are open to such individuals.

4.5.2 Specific Measures for the Target Group

Austria has what is referred to as “Start-Up Assistance Projects” for persons granted asylum and beneficiaries of subsidiary protection. These projects are co-funded by the Federal Ministry for Europe, Integration and Foreign Affairs and the European Asylum, Migration and Integration Fund and implemented by various commissioned institutions in a number of Austrian provinces. The objective of the individual projects is to offer holistic

134 PES Lower Austria, *Beratungs- und Betreuungseinrichtungen*, available at www.ams.at/noe/service-arbeitsuchende/arbeitsuche/beratungs-betreuungseinrichtungen (accessed on 22 October 2015).

135 See footnote 132.

136 E.g. the Counselling Centre for Migrants, which is financially supported by PES, the European Social Fund, the City of Vienna, the Federal Ministry of Labour, Social Affairs and Consumer Protection, the Federal Ministry of Education and Women’s Affairs and the Vienna Employment Promotion Fund (Counselling Centre for Migrants, *Tätigkeiten/Aktivitäten*, available at www.migrant.at/austria_vindobona/erreichbarkeit/beratungszentrum/beratungszentrum_story.html, accessed on 8 October 2015).

137 E.g. the centre for women “Frauen-Zentrum Olympe” run by the association *Volkshilfe* in Linz, which is financially supported by the province of Upper Austria, the Federal Chancellery, the Federal Ministry of the Interior, the *Frauenbüro Linz* and the health forum of the Upper Austrian regional health insurance. The centre helps women with their career management by providing counselling and training. Also, the centre offers support and counselling in crisis situations working together with psychologists and doctors (Volkshilfe Upper Austria, *Frauen-Zentrum Olympe*, available at www.volkshilfe-ooe.at/erwachsene/beratung/fluechtlinge-migrantinnen/frauenzentrum-olymp/, accessed on 25 October 2015).

start-up support in the integration process.¹³⁸ The Start-Up Assistance Projects are tailored to the specific needs of the target group. Help is provided for example in meeting the special challenges posed by transitioning from the asylum procedure to the refugee or subsidiary protection status phase.¹³⁹ In most of the programmes, counselling is preceded by first determining specifics relating to the events of the individual's life leading up to the present situation, in order to be able to provide individualized support.¹⁴⁰ Almost all counselling programmes comprise psychosocial aid services.¹⁴¹

Other state-funded programmes exist besides these, such as a project referred to as “Start-Up Support”, which targets persons granted asylum and beneficiaries of subsidiary protection in Vienna and is offered by *Interface Wien*, a non-profit company. The project pursues the objective of enabling beneficiaries of international protection to ultimately live independent lives, by providing integration assistance for a period limited

138 Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf (accessed on 27 October 2015).

139 E.g. the project “I-C-E” implemented by Caritas in Upper Austria, which offers support to persons in transit situations who move from reception centres to their own apartments and who leave basic welfare support and become financially independent. The project is financed by AMIF, the Federal Ministry for Europe, Integration and Foreign Affairs and the province of Upper Austria (Caritas Upper Austria, *I-C-E – Integrations-Caritas-Express*, available at www.caritas-linz.at/hilfe-angebote/migration-integration/riko-regionale-integration-von-konventionsfluechtlingen/, accessed on 22 October 2015).

140 E.g. the mobile integration support offered by Caritas in Styria, which provides an initial comprehensive screening. For this purpose detailed biographical data on education, work experience and the family are collected (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 16, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

141 E.g. the project “INTO Wien”, which is implemented by the church-affiliated organization *Diakonie Flüchtlingsdienst* (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 12, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

to a maximum of two years according to the principle of “helping them to help themselves”.¹⁴²

4.5.3 Challenges and Good Practices

In its report on the integration of refugees in Austria, the UNHCR underscores the fact that many beneficiaries of international protection do not have the information required to gain a foothold in the labour market (UNHCR, 2013b:62). From this it can be assumed that individuals in the target group are not adequately informed of existing counselling opportunities and/or that there is an insufficient number of such services. UNHCR recommends not only to provide advice to those seeking employment but also to potential employers, as the latter are often not adequately informed about the legal status of beneficiaries of international protection (UNHCR, 2013b:63).

Here the Austrian Federal Economic Chamber has become active. According to Margit Kreuzhuber of the Austrian Federal Economic Chamber, as those actually providing the jobs, companies play a key role in the integration of beneficiaries of international protection in the labour market. She consequently sees the need to adequately inform businesses about the legal framework (i.e. the rights of labour market access related to the various types of residence status as well as the options for renewing residence titles and the renewal period in each case) and to raise their awareness of the benefits and challenges ensuing from diversity within the company. The Austrian Federal Economic Chamber has responded by making information available especially for businesses, such as in the form of an information booklet¹⁴³ and a website (www.fachkraeftepotenzial.at).¹⁴⁴

142 The project is financed by the European Social Fund, the province of Vienna, PES Vienna as well as the Federal Ministry of Education and Women's Affairs, the Federal Ministry for Europe, Integration and Foreign Affairs and the Federal Ministry of Labour, Social Affairs and Consumer Protection (Interface Wien, *Starting Aid for persons entitled to asylum or holding a subsidiary protection status in Vienna*, available at www.interface-wien.at/4-asylberechtigte/42-startbegleitung-sfa, accessed on 8 October 2015).

143 Austrian Federal Economic Chamber, *Vielfalt in Unternehmen*, available at www.wko.at/Content.Node/Migration/Vielfalt_in_Unternehmen_2014.pdf (accessed on 10 November 2015).

144 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015.

One good practice example is an integration and settlement assistance programme offered in Vienna under the name of “StartWien”, which was recognized with the Austrian Integration Award in the category of Support and Assistance in 2010.¹⁴⁵ The project, funded by Vienna Municipal Department 17 (Integration and Diversity), offers a broad spectrum of counselling services for new arrivals in Vienna.¹⁴⁶ Alongside citizens of the EU and the European Economic Area and third-country nationals, since September 2015 the target group also includes asylum-seekers, persons granted asylum and beneficiaries of subsidiary protection.¹⁴⁷ One example of activities is a free information workshop for beneficiaries of international protection that is offered twice a week in a number of languages and covers issues such as community living, education, health, housing and social affairs.¹⁴⁸

Another good practice example, in this case providing counselling in the form of mentoring, is the “Mentoring for Migrants” programme, which is unique among German-speaking countries and was recognized with the European Commission’s special prize at the European Enterprise Promotion Awards. The programme is aimed at helping individuals with a migration background, including persons granted asylum and beneficiaries of subsidiary protection, to enter the Austrian labour market; recognized individuals with business experience (mentors) are appointed to the migrants (or mentees) to accompany them for six months and provide support and assistance. Since 2015 the programme has been advertised specifically among beneficiaries of international protection in order to more effectively reach this group.¹⁴⁹ It is funded by the Austrian Economic Chambers and by “go international”, a campaign to internationalize business activities.¹⁵⁰

145 Wien.at, *Frauenberger erfreut über Integrationspreis für „StartWien“*, available at www.wien.gv.at/rk/msg/2010/06/08021.html (accessed on 27 October 2015).

146 StartWien, *Willkommen in Wien!*, available at www.startwien.at/ (accessed on 27 October 2015).

147 Wien.at, *Info-Module für Flüchtlinge bei „Start Wien“*, available at www.wien.gv.at/menschen/integration/neuzugewandert/info-module-fluechtlinge.html (accessed on 27 October 2015).

148 StartWien, *Information events for refugees*, available at www.startwien.at/en/asyl (accessed on 27 October 2015).

149 Interview with Margit Kreuzhuber, Austrian Federal Economic Chamber, 9 November 2015.

150 Federal Ministry of Science, Research and Economy/Austrian Economic Chambers, *go international*, available at www.go-international.at (accessed on 9 November 2015).

The Austrian Integration Fund and PES contribute to staff and material expenses.¹⁵¹

4.6 Cultural Orientation

In their expert paper on the integration of persons granted asylum and beneficiaries of subsidiary protection, the task force of the Expert Council for Integration states that a basic knowledge of the structures underlying everyday life in Austria is an indispensable basis for best utilizing public services (Expert Council for Integration – Task Force, 2015:15). It is also observed that knowledge of the framework conditions governing community living in Austria is the basis for continued integration, including occupational integration, and independence.¹⁵² UNHCR additionally notes that contact with reference persons is essential for achieving orientation in Austrian society. Such persons could explain issues related to life in Austria and act as a bridge builder to society (UNHCR, 2013b:99).

4.6.1 General Measures

Values and Welcoming Culture:

One of the objectives within the “language and education” field of activity of Austria’s National Action Plan for Integration (refer to Section 3.1) is to help new immigrants to acquire a basic knowledge of Austria’s legal system, history and culture (Austrian Federal Government, 2010:15). Specific measures are co-funded by the Federal Ministry for Europe, Integration and Foreign Affairs and the European Asylum, Migration and Integration Fund (AMIF). Austria’s invitation to tender for integration-related projects during the 2015/2016 period specifically included measures pertaining to “values and welcoming culture”. One of the aims here is to introduce immigrants to Austrian society by familiarizing them with

151 Austrian Federal Economic Chamber, *Metoring für MigrantInnen – Projektbericht Deutsch 2015*, available at www.integrationsfonds.at/fileadmin/content/AT/Downloads/StipendienFoerderungen/Projektbericht_Deutsch_2015.pdf (accessed on 9 November 2015).

152 Association of Austrian Adult Education Centres, *Positionspapier zur Bildungsarbeit mit Asylsuchenden, Asylberechtigten und subsidiär Schutzberechtigten*. Available at www.vhs.or.at/604/ (accessed on 28 October 2015).

commonly held values in Austria.¹⁵³ Most of the current projects in connection with this measure provide general counselling in the areas of housing, employment, language and cultural integration. Several of the projects specifically include cultural orientation training, in which information about Austrian culture and values is provided. Culture is shared in many cases by establishing direct contact between migrants and Austrian nationals, for example through tandem partnerships. The projects are run by various commissioned institutions, including church-affiliated organizations, associations and international organizations and are largely limited to certain provinces.¹⁵⁴ Alongside individuals who are legally settled in Austria, and have the prospect of permanent residence, persons granted asylum and beneficiaries of subsidiary protection also belong to the group of individuals targeted by AMIF integration projects.¹⁵⁵ Persons holding a humanitarian residence title are consequently not included in the group. The details of access conditions vary from one project to the other. There are for example age limits or minimum language level requirements, in addition to requiring a certain residence status.¹⁵⁶

Other Institutions:

Measures aimed at cultural orientation are also part of general counselling services (refer to Section 4.5.1)¹⁵⁷ as well as of the majority of

153 Special Guidelines issued by the Federal Ministry of the Interior and the Federal Ministry for Europe, Integration and Foreign Affairs Governing the Operation of the Asylum, Migration and Integration Fund (AMIF) 2014 – 2020 and the Awarding of Co-Financing within this Framework, GZ: BMI-BH1600/0094-I/3/a/2015, p. 11.

154 Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, pp. 12–19, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf (accessed on 27 October 2015).

155 Special Guidelines issued by the Federal Ministry of the Interior and the Federal Ministry for Europe, Integration and Foreign Affairs Governing the Operation of the Asylum, Migration and Integration Fund (AMIF) 2014 – 2020 and the Awarding of Co-Financing within this Framework, GZ: BMI-BH1600/0094-I/3/a/2015, p. 15.

156 See footnote 154.

157 The Austrian Integration Fund, for example, offers guidance in the framework of its counselling at the “Welcome Desks” (Interview with Lisa Fellhofer, Austrian Integration Fund, 22 October 2015).

language instruction programmes (refer to Section 4.1.1).¹⁵⁸ A publication entitled the “Red-White-Red Primer” provides an overview of Austrian values.¹⁵⁹ Beyond this the *Mein Österreich* series of learning materials and the accompanying website www.staatsbuergerschaft.gv.at provide assistance in preparing for the citizenship examination, giving information on Austrian values and constitutional principles.¹⁶⁰

4.6.2 Specific Measures for the Target Group

Within the “values and welcoming culture” field of AMIF measures, the projects approved for the 2015/2016 project period are almost exclusively targeted at persons granted asylum and beneficiaries of subsidiary protection.¹⁶¹ In addition, in its closed consultations on 11 September 2015, the Federal Government decided that in future orientation courses for persons granted asylum and beneficiaries of subsidiary protection would be offered through the Austrian Integration Fund; the courses on the subject of “Living together in Austria” are intended to present values and address issues related to the social order (Republic of Austria, 2015:3). The courses are still in the planning stage and not yet in progress.¹⁶²

In late 2015 the Federal Ministry of the Interior published a website (www.refugee-guide.at) and a booklet especially intended for newly arrived asylum-seekers. Using simple sentences and 28 illustrations, the materials

158 The Association of Austrian Adult Education Centres, for example, indicates in its position paper regarding the educational work with asylum-seekers, persons granted asylum and beneficiaries of subsidiary protection, that topics dealing with community living in Austria and providing orientation regarding Austrian culture and society are an integral part of the German language training offers. The promotion of European values and questions regarding the Austrian social order are also part of these offers (Association of Austrian Adult Education Centres, *Positionspapier zur Bildungsarbeit mit Asylsuchenden, Asylberechtigten und subsidiär Schutzberechtigten*. Available at www.vhs.or.at/604/, accessed on 28 October 2015).

159 Federal Ministry of the Interior, *Co-existence in Austria – United by our values*, available at http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Zusammenleben/Zusammenleben_in_Oesterreich_Deutsch-Englisch.pdf (accessed on 30 October 2015).

160 Federal Ministry for Europe, Integration and Foreign Affairs/Federal Ministry of the Interior, *Mein Österreich – Lernunterlage zur Staatsbürgerschaftsprüfung*, available at www.staatsbuergerschaft.gv.at/fileadmin/user_upload/Broschuere/StaBuBro.pdf (accessed on 29 October 2015).

161 See footnote 154.

162 Interview with Lisa Fellhofer, Austrian Integration Fund, 22 October 2015.

explain basic values shared in Austria and provide rudimentary information on Austria and the asylum procedure.¹⁶³

4.6.3 Challenges and Good Practices

According to a UNHCR study on the integration of refugees in Austria, both course providers and beneficiaries of international protection reported in 2012 and 2013 that members of the target group receive too little information about the legal and social principles underlying life in Austria and are not sufficiently informed to master everyday situations (e.g. how to use public transportation) or make use of services such as counselling (UNHCR, 2013b:58). The projects described above provide this kind of help.

The IOM project “Cultrain – Cultural Trainings for Young Refugees” can be seen as an example of good practice in this area. Since 2012 this project has been providing orientation to young persons granted asylum and beneficiaries of subsidiary protection from age 14 to 27 on cultural and social as well as other aspects of daily life in Austria. Cultural orientation training courses are carried out throughout Austria, focusing on aspects such as Austrian society (geography, history, culture, festivities and public holidays), community living (social manners, gender and family), as well as politics and daily life (housing, work, education and democracy). The project additionally organizes intercultural events in cooperation with Austrian youth organizations so as to facilitate exchange between young refugees and Austrian youth. Also in the framework of extracurricular activities additional excursions or workshops are offered.¹⁶⁴

4.7 Housing

A difficult or uncertain living situation can impact a variety of areas related to integration, including labour market integration. In its study on

163 Federal Ministry of the Interior, *Austria – Informations, Rights, Duties, Values*, available at http://www.refugee-guide.at/files/Asylwerber-Folder_E_0715_Endfassung.pdf (accessed on 28 December 2015).

164 IOM Austria, *CulTrain – Cultural Trainings for Young Refugees*, available at www.iomvienna.at/en/cultrain-cultural-trainings-young-refugees (accessed on 25 November 2015).

refugee integration in Austria, UNHCR specifically states that the individuals concerned are hardly able to concentrate on finding employment until their basic needs are met and they have found an appropriate and secure housing situation (UNHCR, 2013b:66).

For part of the group of persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title, accommodation is provided as part of the basic welfare support they receive during their asylum procedure. Where access to such accommodation does not or no longer exists, state measures in the area of social housing or transitional measures specifically designed to meet this group's needs may apply. Details of such measures follow below.

4.7.1 General Measures

One of the social housing measures in Austria is monetary aid referred to as housing subsidies.¹⁶⁵ Both the legislation and the administration of such aid falls within the jurisdiction of the provinces (Art. 15 para 1 in conjunction with Art. 11 para 1 subpara 3 Federal Constitutional Act). Consequently, nine separate statutes with varying levels and types of subsidies exist (Chamber of Labour, 2013:337). Municipalities also have a special form of social housing known as municipal housing. Here the municipalities fund the construction of housing, which they rent out directly.¹⁶⁶ Special offices within the provincial governments are concerned with the administration of housing subsidies. In Vienna, the Municipal Department 50 (Housing Promotion and Arbitration Board for Legal Housing Matters) is responsible for this area.¹⁶⁷ Vienna's municipal housing is administered by *Wiener Wohnen*, a public company under the City of Vienna.¹⁶⁸

Depending on their residence status, beneficiaries of international protection or persons with a humanitarian residence title have varying access to housing subsidies and to municipal housing.

165 For further information see Chamber of Labour, 2013:337 ff.

166 Help.gv.at, *Gemeindewohnungen*, available at www.help.gv.at/Portal.Node/hlpd/public/content/21/Seite.210240.html (accessed on 28 October 2015).

167 A list is available in Chamber of Labour, 2013:441–443.

168 Wiener Wohnen, *Über Wiener Wohnen*, available at www.wienerwohnen.at/ueber-uns/ueber.html (accessed on 28 October 2015).

Persons granted asylum are in most respects equal to Austrian citizens, as far as access to social rights is concerned (Frey, 2011:36–37). This means that they are for example eligible to rent a subsidized flat or a flat in municipal housing and are subject to the same conditions for access (UNHCR, 2015:20). During the transitional period following the asylum procedure they may also stay in organized reception facilities or individual accommodation under the basic welfare support scheme for another four months.¹⁶⁹

Beneficiaries of subsidiary protection, in contrast, do not have equal rights to Austrian citizens with regard to access to housing subsidies or municipal housing (Frey, 2011:37). Such individuals have access depending on their province or municipality of residence, whereas in most cases they have no access, since their temporary residence permit is not generally regarded as a basis for permanent residence, which, however, would be required (Schoibl, 2011:46–48; UNHCR, 2015:20, 28–29). Instead, beneficiaries of subsidiary protection are entitled to basic welfare support (which includes accommodation) for as long as they are in need of assistance.¹⁷⁰

No details are known of **persons holding a humanitarian residence title** having access to housing subsidies or to municipal housing. Such individuals generally fall in the category of third-country nationals, who are excluded from housing subsidies and municipal housing for the most part if they are unable to provide evidence of an established or permanent residence (Schoibl, 2011:46–48). Only individuals in the category of persons with a Residence Permit for Individual Protection under Art. 57 para 1 subpara 1 and subpara 2 of the Asylum Act are entitled to basic welfare support (and subsequently also to accommodation), since they belong to the target group of the Basic Welfare Support Agreement¹⁷¹ as specified in Art. 2 para 1 subpara 3.¹⁷²

Several conditions have to be met in order to be eligible for housing subsidies. These prerequisites vary according to province. In many cases there is a stipulation that the individual's income must not exceed a specified threshold. Also, a certain citizenship or resident status is required. Third-

169 For further information see Koppenberg, 2014:21.

170 For further information see Koppenberg, 2014:22.

171 FLG I No. 80/2004.

172 Written input by Michaela Malz, Federal Ministry of the Interior, 21 October 2015.

country nationals usually have to provide evidence of at least several years of residence or be regarded as having equal status to Austrian nationals (Frey, 2011:45–47; Chamber of Labour, 2013:337–338). The conditions for access to municipal housing also vary according to municipality. These include in most cases a certain minimum age, a minimum period of registered primary residence, a maximum net income as well as a certain citizenship or residence status (Austrian/EU/EEA/Swiss citizen, Permanent Residence – EU or asylum status).¹⁷³

4.7.2 Specific Measures for the Target Group

State-funded transitional measures are available in many of the Austrian provinces for persons granted asylum and beneficiaries of subsidiary protection, specifically what is referred to as “start-up flats”. Such accommodation is sometimes offered within the framework of the start-up aid projects run by various commissioned institutions (church-affiliated organizations and associations) and co-funded by the European Asylum, Migration and Integration Fund (AMIF) and the Federal Ministry for Europe, Integration and Foreign Affairs. In this context they represent one aspect of a broad spectrum of counselling and support services (refer to Section 4.5.2).¹⁷⁴ Beyond this, a fund financed by the City of Vienna, *Fonds Soziales Wien*, provides supported accommodation for individuals in Vienna who require start-up assistance. Persons granted asylum and partially beneficiaries of subsidiary protection also fall in this category. The flats are awarded through various commissioned institutions (church-affiliated organizations and associations).¹⁷⁵ The Austrian Integration Fund also offers

173 Help.gv.at, *Gemeindewohnungen*, available at www.help.gv.at/Portal.Node/hlpd/public/content/21/Seite.210240.html (accessed on 28 October 2015).

174 E.g. the integration and educational centers and “INTO” projects run by the church-affiliated organization *Diakonie Flüchtlingsdienst* or the initial aid and integration projects implemented by the association *Volkshilfe* (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, pp. 12–18, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015).

175 The projects “ZukunftsRaum” and “INSIEME”, implemented by the church-affiliated organizations *Diakonie Flüchtlingsdienst* and Caritas, or the project “FlatWorks” run by the association *Volkshilfe* (Fonds Soziales Wien, *Betreutes Wohnen in Wohnungen*, available at http://wohnen.fsw.at/wohnungslos/betreutes_wohnen/, accessed on 29 October 2015).

start-up flats to persons granted asylum, in a housing project situated in south-eastern Vienna (Austrian Integration Fund, n.d.:21). Other start-up flats are also available for persons granted asylum and beneficiaries of subsidiary protection as well as other categories of individuals.¹⁷⁶

Alongside start-up flats, as part of support and counselling services several aid organizations also especially assist persons granted asylum and beneficiaries of subsidiary protection in finding a flat in the open housing market. Such services are co-funded by the Federal Ministry for Europe, Integration and Foreign Affairs, the AMIF and other public sources, but receive also financial support from the provinces.¹⁷⁷ Additional measures, also accessible to other categories of individuals, are in place to provide support in locating housing.¹⁷⁸

4.7.3 Challenges and Good Practices

A survey conducted by UNHCR among beneficiaries of international protection in 2012 and 2013 revealed that housing was one of the major challenges these individuals faced (UNHCR, 2013b:73). In view of the fact that the number of asylum-seekers originating from countries with high recognition rates drastically increased in 2015, providing housing for beneficiaries of international protection continues to be a current challenge,

176 E.g. the assisted start-up flats offered by Caritas and financed by *Fonds Soziales Wien* (Caritas Vienna, *Betreute Startwohnungen*, available at www.caritas-wien.at/fileadmin/storage/wien/hilfe-angebote/obdach-wohnen/mobile-wohnbetreuung/betreute-startwohnungen-wien-folder.pdf, accessed on 29 October 2015).

177 E.g. the mobile integration support provided by Caritas (Federal Ministry for Europe, Integration and Foreign Affairs, *Asyl-, Migrations- und Integrationsfonds (AMIF): Förderauswahl 2015/2016*, p. 16, available at www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Integration/Projektfoerderung/AMIF_Foerderungen_2015.pdf, accessed on 27 October 2015) or “Treffpunkt Österreich” offered by Caritas (Caritas Vienna, *Deutschkurse und Beratung für Asylberechtigte, subsidiär Schutzberechtigte und Drittstaatsangehörige in NÖ*, available at www.caritas-wien.at/fileadmin/storage/wien/hilfe-angebote/asyl-integration/beratung-migrantinnen/deutschkurse-noe.pdf, accessed on 29 October 2015).

178 E.g. the project “Wohndrehscheibe”, implemented by Caritas and financially supported by *Fonds Soziales Wien* (which is explicitly not accessible for beneficiaries of subsidiary protection) (Volkshilfe Vienna, *Wohndrehscheibe*, available at www.volkshilfe-wien.at/wohndrehscheibe, accessed on 29 October 2015).

as became obvious at a meeting on the topic of “Community Work in the Living Environment” held at the Danube University Krems.¹⁷⁹

Compared with the rest of the population, beneficiaries of international protection have only limited possibilities of finding housing; this was one of the findings of research work conducted by UNHCR. This is true particularly in the case of beneficiaries of subsidiary protection (UNHCR, 2013b:73–77; UNHCR, 2015:29–30). The findings of the UNHCR study in detail: firstly, even when receiving assistance in locating housing, such individuals are still not able to find a flat, for reasons such as short supply or discrimination encountered in the open housing market (UNHCR, 2013b:75). There is in fact a shortage of living space, especially in Vienna.¹⁸⁰ Secondly, the restricted or blocked access to housing subsidies and to municipal housing poses a special challenge for beneficiaries of subsidiary protection (UNHCR, 2013b:75, 77). In the 50-Point Plan for the Integration of Persons Granted Asylum and Beneficiaries of Subsidiary Protection in Austria, specific mention is made of the current problem. It was noted that in many places practice showed that there were de facto barriers preventing persons granted asylum and beneficiaries of subsidiary protection from receiving timely access to affordable municipal flats or public housing (Federal Ministry for Europe, Integration and Foreign Affairs/Expert Council for Integration, 2015:20). UNHCR reports that administrative barriers arise in particular due to missing documents, when persons granted asylum and beneficiaries of subsidiary protection seek to access housing subsidies and municipal flats (UNHCR, 2013b:78).

Considering the kinds of challenges that arise for persons granted asylum and for beneficiaries of subsidiary protection, the start-up flats described in 4.7.2 represent a good practice that provides assistance particularly in the transitional stage between the asylum procedure and

179 Danube University Krems, *Die Kunst der Gemeinwesenarbeit im Wohnumfeld unter besonderer Berücksichtigung von Migration und Flüchtlingsintegration*. Congress on 27 October 2015, congress documents available at www.donau-uni.ac.at/de/departement/migrationglobalisierung/veranstaltungen/id/22649/index.php (accessed on 29 December 2015).

180 Der Standard, *Sie werden bleiben. Aber wo?*, 16 August 2015, available at <http://derstandard.at/2000020799708/Sie-werden-bleiben-Aber-wo> (accessed on 10 November 2015).

recognition of status. Yet the supply is too limited, as the UNHCR study notes (UNHCR, 2013b:76).

4.8 Guaranteed Minimum Resources

Where persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title cannot or not immediately be integrated in the labour market, it is necessary to provide for their basic needs by other means. For part of this group of persons, this is covered for a certain period through the basic welfare support they receive already during their asylum procedure. When they are no longer entitled to such support, most can receive guaranteed minimum resources to cover their basic needs. This is described in detail below.

4.8.1 General Measures

In Austria the system of guaranteed minimum resources is referred to as “**Needs-based Guaranteed Minimum Resources**”. It is designed to ensure a minimum level to cover subsistence, housing needs and social security in the event of illness, pregnancy and birth (Statistics Austria, n.d.:1, 2).¹⁸¹ Needs-based Guaranteed Minimum Resources fall within the competence of the provinces, each of which passes its own statutes. The Agreement Pursuant to Art. 15a of the Federal Constitutional Act Between the Federal State and the Provinces Stipulating a Nationwide System of Needs-based Guaranteed Minimum Resources¹⁸² defines minimum standards to be ensured throughout the country (Federal Ministry of Labour, Social Affairs and Consumer Protection, 2015:9). The benefits are administrated at regional level by the district administrative authorities or the municipal authorities (MISSOC, 2015). These authorities, in cooperation with social welfare offices and social centres, disburse the benefits (Chamber of Labour, 2013:353). The expense incurred by Needs-based Guaranteed Minimum Resources is shared by the provinces, the municipalities and the Federal State as well as by individuals required to refund benefits, each to a varying

181 For further information see Chamber of Labour, 2013:345 ff.

182 Agreement Pursuant to Art. 15a of the Federal Constitutional Act between the Federal State and the Provinces Stipulating a Nationwide System of Needs-based Guaranteed Minimum Resources, FLG I No. 96/2010.

extent (Chamber of Labour, 2013:343). The health insurance contributions are paid by the provinces (MISSOC, 2015).

In general, all individuals entitled to permanent residence in Austria may, in the event of need, claim benefits based on Needs-based Guaranteed Minimum Resources (Chamber of Labour, 2013:349). **Persons granted asylum** and **beneficiaries of subsidiary protection** also fall within this category (Art. 4 para 3 subpara 2 Agreement on Needs-based Guaranteed Minimum Resources). In practice, however, beneficiaries of subsidiary protection do not have unrestricted access to such benefits in all Austrian provinces. According to UNHCR, these restrictions are based on the argument that minimum income is only of a subsidiary nature, while beneficiaries of subsidiary protection, in contrast to persons granted asylum, are entitled to basic welfare support benefits (UNHCR, 2015:27).

Persons holding a humanitarian residence title are not entitled to Needs-based Guaranteed Minimum Resources nor – with the exception of individuals holding a Residence Permit for Individual Protection pursuant to Art. 57 para 1 subpara 1 and subpara 2 Asylum Act¹⁸³ – to basic welfare support. Consequently, such individuals may encounter difficulties and deficiencies in securing their means of subsistence. According to Alexander Leitner, the only option in such cases is to submit a well-substantiated application for guaranteed minimum resources based on private law. He notes, however, that in the absence of any legal entitlement such applications are rarely approved.¹⁸⁴ Hermann Deutsch of the Federal Ministry of Labour, Social Affairs and Consumer Protection reports that under certain circumstances at least persons holding a Residence Permit Plus have access to Needs-based Guaranteed Minimum Resources.¹⁸⁵

183 According to Art. 57 para 1 subpara 1 and 2 Asylum Act, persons with a Residence Permit for Individual Protection are entitled to basic welfare support because they fall within the target group of the Basic Welfare Support Agreement (FLG I No.80/2004) according to Art. 2 para 1 subpara 3 (Written input by Michaela Malz, Federal Ministry of the Interior, 21 October 2015).

184 Leitner, A., *Problematik: Versorgungslücken ehemaliger AsylwerberInnen*, Beitrag auf Armutsnetzwerk OÖ, 5 March 2015, available at www.armutsnetzwerk-ooe.at/problematik-versorgungsluecken-ehemaliger-asylwerberinnen/ (accessed on 21 October 2015).

185 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

The same **access conditions** apply to all categories of individuals who are entitled to Needs-based Guaranteed Minimum Resources. Specifically, upon applying for Needs-based Guaranteed Minimum Resources, individuals are required to present proof of identity,¹⁸⁶ proof of the acquired residence status as well as evidence of registered residence in Austria (MISSOC, 2015). A means test is additionally required to examine sources of income, assets and other benefits (Chamber of Labour, 2013:350) so as to provide evidence that the individual does not have sufficient means to cover the areas of need specified in Art. 3 of the Agreement Pursuant to Art. 15a of the Federal Constitutional Act Between the Federal State and the Provinces Stipulating a Nationwide System of Needs-based Guaranteed Minimum Resources (Art. 4 para 1 of the cited law). Persons able to work are additionally required to be willing to accept employment (Chamber of Labour, 2013:349).

4.8.2 Specific Measures for the Target Group

Hermann Deutsch of the Federal Ministry of Labour, Social Affairs and Consumer Protection reports that in practice public authorities cooperate with counselling centres, which accompany beneficiaries of international protection to appointments at government offices and centres or when applying for Needs-based Guaranteed Minimum Resources.¹⁸⁷ An example is *Interface Wien GmbH*, a non-profit company in Vienna which is contracted by the City of Vienna: it provides temporary integration support for up to two years, specifically to persons granted asylum and beneficiaries of subsidiary protection residing in Vienna who no longer receive basic welfare support.¹⁸⁸ Counselling related to Needs-based Guaranteed Minimum Resources represents a significant part of this work. In 2014 for example, almost 50 per cent of initial counselling sessions concerned securing an immediate means of subsistence, whereby applying for Needs-based Guaranteed Minimum Resources was the most common

186 Schaidinger S. and Struber, P, *Sozialleistungen für anerkannte Flüchtlinge und subsidiär Schutzberechtigte*. Seminar, Asylkoordination Österreich, 24 April 2015.

187 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

188 Interface Wien, *Starting Aid for persons entitled to asylum or holding a subsidiary protection status in Vienna*, available at www.interface-wien.at/4-asylberechtigte/42-startbegleitung-sfa (accessed on 8 October 2015).

issue (Interface Wien, 2015:35). The measure is funded by Vienna Municipal Department 17 (Integration and Diversity), Municipal Department 40 (Social Affairs, Social and Health Law) and Municipal Department 24 (Health and Social Planning).¹⁸⁹

4.8.3 Challenges and Good Practices

Due to the interaction between the factors of income and residence, challenges emerge in accessing Needs-based Guaranteed Minimum Resources. Specifically, Schaidinger/Struber observe that in practice it is usually difficult for persons without gainful employment to find a rental flat in the housing market, since landlords frequently require proof of income.¹⁹⁰ When applying for Needs-based Guaranteed Minimum Resources, however, proof of residence is required. In other words, entitlement to Needs-based Guaranteed Minimum Resources arises only once the individual takes up residence and registers in the rented flat. Benefits can thus not be claimed to cover expenses such as a rental deposit and fees for registering the rental agreement.¹⁹¹

Alongside projects offering counselling and support to apply for Needs-based Guaranteed Minimum Resources (refer to the example under 4.8.2), projects providing “start-up flats” for the transitional stage following accommodation in the framework of basic welfare support (refer to Section 4.7.2) can assist individuals in resolving the challenges described above; as such they can be termed good practices.

189 Ibid.

190 See footnote 186.

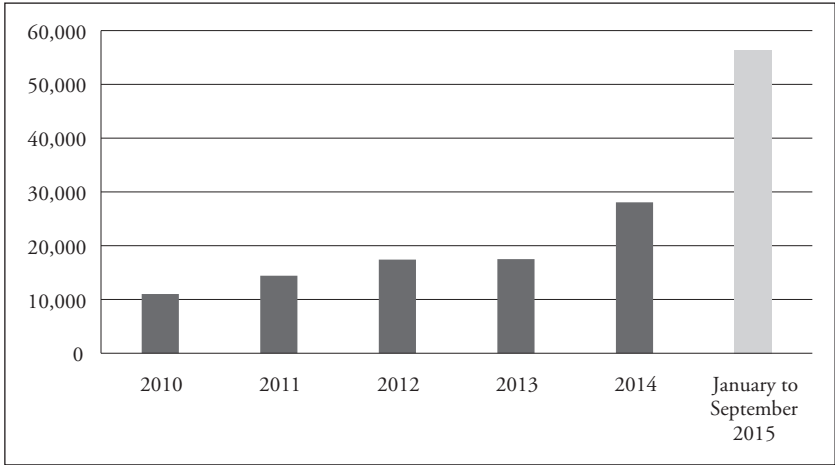
191 Leitner, A., *Problematik: Versorgungslücken ehemaliger AsylwerberInnen*, Beitrag auf Armutsnetzwerk OÖ, 5 March 2015, available at www.armutsnetzwerk-ooe.at/problematik-versorgungsluecken-ehemaliger-asylwerberinnen/ (accessed on 21 October 2015).

5. STATISTICS ON BENEFICIARIES OF INTERNATIONAL PROTECTION AND HOLDERS OF HUMANITARIAN RESIDENCE TITLES INCLUDING LABOUR MARKET PARTICIPATION

5.1 Numbers of Beneficiaries of International Protection and Holders of Humanitarian Residence Titles

Austria is recording a growing number of persons applying for international protection (refer to Figure 1). The number rose by 155 per cent between 2010 and 2014, from 11,012 to 28,064. The number continued to increase in 2015. Specifically, 56,356 applications were filed between January and September 2015 alone. This figure equals more than three times that in the same period of the previous year (Federal Ministry of the Interior, 2015:3).

Figure 1: Number of Applications for International Protection in Austria (2010 to September 2015)



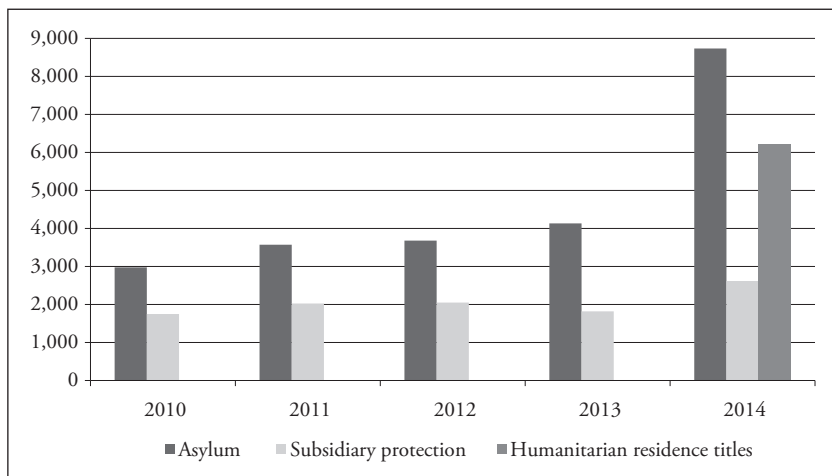
Source: Federal Ministry of the Interior, n.d.; Federal Ministry of the Interior, 2015:3.

Parallel to the increase in the number of applications for international protection, the number of individuals granted asylum also rose at a similarly high rate (refer to Figure 2). Whereas asylum was granted in 2,977 cases in 2010, asylum status was granted in 8,734 instances in 2014 (+193%).

The number of persons granted subsidiary protection rose between 2010 and 2012 and then declined slightly in 2013, only to increase once more in 2014 to 2,617, i.e. to above the 2012 level. Compared with 2010 this represents a 50 per cent increase.

In addition humanitarian residence titles were issued in 6,227 cases in 2014. The figure includes not only titles issued since 1 January 2014 based on Art. 55–57 of the Asylum Act but also permits previously specified in the Settlement and Residence Act and issued based on transitional provisions.¹⁹² It also needs to be mentioned that such residence titles can not only be issued during an asylum procedure but also in response to an application (Peyrl/Neugschwendtner/Schmaus, 2015:181–183).

Figure 2: Number of Persons Granted Protection Status/Humanitarian Residence Titles in Austria by Residence Status or Title (2010–2014)



Source: Federal Ministry of the Interior, n.d.; Written input by Gerald Dreveny, Federal Ministry of the Interior, 1 December 2015.

192 Written input by Gerald Dreveny, Federal Ministry of the Interior, 1 December 2015.

5.2 Participation in Measures to Promote Labour Market Integration

Due to the structure of measures for promoting labour market integration in Austria, no complete summary of the numbers of individuals participating in particular measures is available. In cases where statistics are available, these are often not broken down according to participants' residence status. For example, while data are available on the number of participants in the Adult Education Initiative during the 2012 to 2014 programme period, the only fact recorded was whether or not participants came from a migration background (Edler/Stoppacher, 2014:40ff.). The same applies to the statistics on applications for recognition submitted to ENIC-NARIC Austria.¹⁹³ Other types of statistics are possibly broken down suitably, but there is no centralized access as these data are within the provinces' scope of competence. This applies in particular to data on housing and Needs-based Guaranteed Minimum Resources (Federal Ministry of Labour, Social Affairs and Consumer Protection, 2014:1). Excepted from this are the nationwide measures of the Public Employment Service (PES). The agency has a central database, in which the number of participants is recorded together with their relevant residence status (refer to Table 1).

Between 2010 and 2014 there was a continuous increase in the number of persons granted asylum taking part in courses offered by PES, specifically from 1,467 to 2,425 or by 65 per cent. This increase was thus not as steep as the rise in the number of cases of asylum status being granted during the same period (see above).

At a rate of 120 per cent, the number of beneficiaries of subsidiary protection taking part in courses offered by PES increased by almost twice as much between 2010 and 2013, while the number receded to 893 individuals in 2014. The overall increase of 86 per cent in the period between 2010 and 2014 was nonetheless higher than the rise in the number of persons to whom subsidiary protection status was granted during that period (see above).

193 Telephone interview with Heinz Kasparovsky, Federal Ministry of Science, Research and Economy, 13 October 2015.

An additional 27 persons holding a humanitarian residence title pursuant to Art. 55–57 of the Asylum Act participated in such PES courses in 2014.

Table 1: Number of Participants in Public Employment Service Measures by Residence Status or Title as of Year's End (2010–2014)

	2010	2011	2012	2013	2014
Total	61,348	55,830	62,457	66,864	62,154
of which: asylum	1,467	1,437	2,133	2,311	2,425
of which: subsidiary protection	481	500	929	1,058	893
of which: humanitarian residence titles	–	–	–	–	27

Source: PES, 2015b; PES, 2015c.

Note: The number of persons as of the end of December each year is indicated.

5.3 Participation in the Austrian Labour Market

5.3.1 Employment and Unemployment

No statistics are compiled in Austria on the number of persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title who are employed. The reason for this is that employees' residence status is not separately recorded when employees are registered for social insurance with the Main Association of Austrian Social Security Institutions (Federal Ministry of Labour, Social Affairs and Consumer Protection, 2015:1).

Data are however available on the number of individuals in the categories named above in cases where they are registered with PES as unemployed or seeking an apprenticeship, since the figures are broken down according to residence status. Here, the category of “unemployed” includes all persons registered for employment placement with PES (i.e. job-seekers and unemployed individuals), who do not hold a job or are not in training (courses).¹⁹⁴ In contrast, “seeking an apprenticeship” refers to all individuals whose priority is to be placed by PES in an apprenticeship or similar

194 PES, *Fachbegriffe*, available at www.ams.at/ueber-ams/medien/arbeitsmarktdaten/fachbegriffe (accessed on 8 October 2015).

vocational training relationship with an employer, and who meet all other criteria applying to job-seekers or unemployed persons.¹⁹⁵

The statistics reveal an increase both of **persons granted asylum** who were registered as unemployed as well as registered unemployed **beneficiaries of subsidiary protection** between 2010 and 2014 (refer to Table 2). These numbers rose by 122 per cent and 136 per cent respectively. While the number of persons granted asylum and beneficiaries of subsidiary protection seeking an apprenticeship was appreciably lower, a relatively large increase was recorded here as well (+163 % and +157 %). It needs to be pointed out that while there was an increase in individuals with asylum or subsidiary protection status who were registered with PES, the number of individuals granted protection rose similarly during this period (refer to Figure 2). Another fact to be noted is that more than half of the persons granted asylum and beneficiaries of subsidiary protection registered as unemployed (refer to Table 2) or in training (refer to Table 1) have already been registered with PES for a longer period. Specifically, a PES study discovered that while approximately 30,800 persons granted asylum and beneficiaries of subsidiary protection were registered with the Service as unemployed or in training since 1 January 2014, slightly less than half (13,625 persons or 44 %) had registered for the first time since that date (Grieger, 2015:2). In other words, this category includes not only individuals who recently received asylum or subsidiary protection status, along with unrestricted access to the labour market, but also those who had already held such a status for some time and had possibly been previously employed in the past.¹⁹⁶

In addition, of the **persons holding a humanitarian residence title** pursuant to Art. 55–57 of the Asylum Act, 189 were registered in 2014 as unemployed and five as seeking an apprenticeship.

195 PES, *Begriffsdefinitionen und Abkürzungen*, available at www.ams.at/_docs/001_Begriffe_Abkuerzungen.pdf (accessed on 19 November 2015).

196 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

Table 2: Number of Persons Registered with Public Employment Service by Residence Status or Title as of Year's End (2010–2014)

	2010	2011	2012	2013	2014
Total					
<i>Unemployed</i>	302,279	304,753	322,981	361,279	393,674
<i>Seeking an apprenticeship</i>	5,144	5,354	5,480	6,055	6,383
of which: asylum					
<i>Unemployed</i>	3,686	4,358	4,662	5,831	8,168
<i>Seeking an apprenticeship</i>	137	197	239	296	360
of which: subsidiary protection					
<i>Unemployed</i>	980	1,302	1,408	1,780	2,315
<i>Seeking an apprenticeship</i>	49	73	119	112	126
of which: humanitarian residence titles					
<i>Unemployed</i>	–	–	–	–	189
<i>Seeking an apprenticeship</i>	–	–	–	–	5

Source: PES, 2015a; PES, 2015c.

Note: The number of persons as of the end of December each year is indicated.

5.3.2 Economic Sectors

Based on a statistical analysis of the ad hoc module “Labour Market Situation of Persons with and without a Migration Background” of the micro census basic programme of 2014, it can be observed that 25.8 per cent of the employed persons who indicated that flight or asylum was their main reason for migrating to Austria were working as unskilled workers (Statistics Austria, 2015:44). Furthermore there are several studies as well as observations available based on practical experience, which do allow an identification of those sectors that employ the majority of **persons granted asylum** and **beneficiaries of subsidiary protection**. For example, UNHCR researched available literature and conducted surveys and held discussion groups with various actors between 2012 and 2013 regarding these categories of individuals. The study revealed that such persons are mainly employed at unskilled or low-qualified jobs (UNHCR, 2013b:33, 53). This was also confirmed, based on current observations, by the Federal Ministry of Labour, Social Affairs and Consumer Protection.¹⁹⁷ Gernot Mitter of the

197 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

Vienna Chamber of Labour also confirmed the existence of empirical evidence confirming that beneficiaries of international protection mainly worked in the low-qualified employment sector.¹⁹⁸ Many of the surveyed beneficiaries of subsidiary protection, and especially the young, held relatively insecure jobs in the low-wage sector. Most were reported to work under contract with temporary work agencies, an arrangement providing no secure term of employment and much poorer protection against dismissal on short notice. Those surveyed were frequently employed in restaurants to wash pots and dishes or as cooks' helpers, in factories, at warehouses, at physically strenuous tasks or as cleaning staff (UNHCR, 2015:38).

The reason that persons granted asylum and beneficiaries of subsidiary protection were mostly employed at low-qualified jobs was seen in a lack of funding for education and training as well as in pressure to begin working as soon as possible (UNHCR, 2013b:33, 53). Gernot Mitter of the Vienna Chamber of Labour also confirmed that strong economic pressure existed to begin working as soon as possible. He also reported that the Competency Checks performed in Vienna since late August 2015 had shown the newly arrived persons granted asylum and beneficiaries of subsidiary protection to have varying qualifications, while there was a considerable number of poorly qualified individuals among the beneficiaries of international protection. He pointed out the need on the one hand to facilitate the recognition of qualifications as well as to invest in helping these individuals acquire basic skills (i.e. reading, writing, arithmetic and IT) and language skills, to enable them to enter other segments of the labour market. The asylum procedure phase should also be used to provide training and education, while offering added incentives such as financial support, he recommended.¹⁹⁹

With regard to the economic sectors employing the majority of **persons holding a humanitarian residence title**, no information could be found.

198 Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

199 Ibid.

5.3.3 Over-qualification Issue

The issue of over-qualification is also related to the fact that the majority of persons granted asylum and beneficiaries of subsidiary protection work in the low-qualified employment sector. An analysis of data gathered in the 2014 micro census labour force survey revealed that almost one quarter (23.5 %) of individuals born outside Austria had indicated being over-qualified for their jobs.²⁰⁰ No comparably detailed, statistically based information is available for the situation of persons granted asylum, beneficiaries of subsidiary protection and persons holding a humanitarian residence title.

Alternatively, several studies as well as observations from practice provide information as to the extent to which **persons granted asylum and beneficiaries of subsidiary protection** are employed below their qualification level. For example, based on practical experience, Hermann Deutsch of the Federal Ministry of Labour, Social Affairs and Consumer Protection concludes that such individuals are more frequently employed at jobs below their qualifications than other third-country nationals.²⁰¹ From a study of available literature UNHCR also infers that beneficiaries of international protection are more often over-qualified for the positions they currently hold (UNHCR, 2013c:3). An example is a study conducted in Vienna in 2011, which found that 40 per cent of the surveyed beneficiaries of international protection were working in employment positions for which they were over-qualified (Riesenfelder/Schelepa/Wetzels, 2011:124). Research on Upper Austria published in 2007 revealed that none of the 19 refugees with university-level training surveyed had employment appropriate to their education. Of the 26 respondents who had completed secondary or a comparable level of schooling in their home countries, all but one individual (a student) were working at jobs requiring skills below a secondary level of education (Scheiber, 2007:157).

There are specific reasons for the deskilling of persons granted asylum and beneficiaries of subsidiary protection as a group in the Austrian labour

200 Statistics Austria, *Arbeitsmarktsituation von Migrantinnen und Migranten 2014: Knapp ein Viertel fühlt sich überqualifiziert*. Press Release 11.168-228/15, 30. November 2015, available at www.statistik.at/web_de/presse/105742.html (accessed on 2 December 2015)

201 Interview with Hermann Deutsch, Federal Ministry of Labour, Social Affairs and Consumer Protection, 20 October 2015.

market, according to a literature study by UNHCR. These include, for example:

- Difficulties in gaining recognition of qualifications, e.g. due to missing documents or a lack of funds for accreditation;
- Unsuccessful recognition of qualifications, e.g. due to a lack of formal education or interruption of the educational career;
- Lack of language skills;
- Asylum procedures of long duration, resulting in limited employment opportunities and opportunities to acquire language skills;
- Pressure to accept employment (UNHCR, 2013b:31–34).

Gernot Mitter of the Vienna Chamber of Labour also concludes that beneficiaries of international protection work at jobs below their qualification level, because a certain pressure exists to earn a livelihood as quickly as possible. He also notes that procedures for gaining recognition of qualifications require too much time and expense, which these individuals are often not able to afford.²⁰²

A lack of information does not allow any assessment of whether or not **persons holding a humanitarian residence title** are also affected by the issue of over-qualification.

202 Interview with Gernot Mitter, Vienna Chamber of Labour, 13 November 2015.

6. CONCLUSIONS

This study investigates the policy and organizational framework of labour market integration in Austria for persons granted international protection as well as persons holding a humanitarian residence title. A variety of state-funded measures to promote labour market integration are presented, while the extent to which these measures are tailored specifically to the target group and accessible for such persons is also described.

It is readily seen that the legal framework applying to labour market integration in Austria provides persons granted asylum, beneficiaries of subsidiary protection and persons holding a Residence Permit Plus (the latter being a sub-category of persons holding a humanitarian residence title) with legally unrestricted access to the labour market. In contrast, persons holding a Residence Permit for Individual Protection or a Residence Permit (equally included in the category of persons holding a humanitarian residence title) require a work permit, whereas persons in the former category need not pass a labour market test.

Although, in terms of labour market access, beneficiaries of subsidiary protection are on an equal legal footing with persons granted asylum, according to UNHCR persons with subsidiary protection status, having temporary residence permit, encounter more difficulties in finding employment than those with asylum status, who have the right to enter and reside in the country permanently. The same can be assumed to apply to persons holding a humanitarian residence title, whose residence title is also temporary. To actually find employment in the Austrian job market, individuals seeking work have to meet certain conditions. Such include German skills, evidence of qualifications and work experience as well as qualifications and/or work experience obtained in Austria.

Austrian integration policies principally target only those individuals who reside in the country permanently. Persons granted asylum and beneficiaries of subsidiary protection belong to this category. However, persons holding a humanitarian residence title are not included, as such individuals first have to acquire a residence title pursuant to the Settlement and Residence Act in order to qualify for permanent residence in Austria. Such persons nonetheless have access to certain integration measures.

Persons granted asylum and beneficiaries of subsidiary protection consequently have access to state-funded measures aimed at promoting labour market integration, specifically in the areas of language, education, vocational education and training and apprenticeships, identification and recognition of qualifications, counselling, cultural orientation, housing, and guaranteed minimum resources. Depending on the case, such measures are also open to other third-country nationals and other individuals with a migration background as well as in some cases to Austrian citizens. In contrast, persons holding a humanitarian residence title have only limited or no access to measures in the areas of vocational education and training and apprenticeships, cultural orientation, housing, and guaranteed minimum resources. In addition to nationwide measures, a large number of isolated, state-funded projects have been carried out by various civil society organizations and implemented at federal, provincial or municipal level. Several of these projects are specifically tailored to the target group of persons granted asylum and beneficiaries of subsidiary protection.

A UNHCR study published in 2013 revealed that beneficiaries of international protection face special challenges in integration. Such challenges specifically include the period of the asylum procedure, during which such individuals have only limited access to work, language courses and accommodation, as well as problems such as missing documents and evidence of qualifications, limited social networks and the effects of having suffered a trauma. In 2015 the integration of persons granted asylum and beneficiaries of subsidiary protection increasingly became the focus of debates on integration among policymakers and in the media. The underlying reason is the rapid rise in the number of asylum-seekers, with a simultaneous increase in status recognition as well as in the number of job-seekers registered with the Public Employment Service. In response, state-funded measures have been proposed which are specifically tailored to the needs of persons granted asylum and beneficiaries of subsidiary protection. Several such measures are already being implemented. They take in all of the areas cited above, with the exception of guaranteed minimum resources. Any measures specifically targeting persons holding a humanitarian residence title could not be identified in this study.

Since it is difficult to access centrally compiled statistics, broken down according to residence status, it is not possible to provide a comprehensive overview of the number of individuals who participate in each of the

measures that are aimed at promoting labour market integration. Nor are any studies available that describe the extent to which labour market integration is improved through access to such measures. Several investigations, as well as observations from experience, indicate that the majority of persons granted asylum and beneficiaries of subsidiary protection work in the low-qualified employment sector.

At the time when this study was prepared, the labour market integration of beneficiaries of international protection was a highly current topic. It remains to be seen how the measures will be implemented in detail, specifically those adopted through the Federal Government's Integration Package and those proposed in the 50-Point Plan put forth by the Federal Ministry for Europe, Integration and Foreign Affairs and Expert Council for Integration. Nor is it clear yet whether measures offered during the asylum procedure will become more strongly coordinated with programmes provided during the later phase after the particular status has been granted. Initial steps have already been taken in this direction. An example is the decision, taken by the Federal Government in its closed consultations on 11 September 2015, to open German courses for the first time to beneficiaries of basic welfare support (Federal Republic of Austria, 2015:2). Such courses are to be provided in line with needs, in other words to individuals for whom status recognition is highly probable.²⁰³ It was also decided to expand the option of taking up an apprenticeship during the asylum procedure to include all industries in which there is a proven shortage of skilled workers (Republic of Austria, 2015:3). Concrete steps have already been taken here. In October 2015 the Federal Ministry of Labour, Social Affairs and Consumer Protection issued a corresponding decree. In essence this allows young asylum-seekers aged 25 and under to take up an apprenticeship in one of the vocations on the shortage occupations list after successfully passing a labour market test.²⁰⁴

203 Interview with Michael Girardi, Federal Ministry for Europe, Integration and Foreign Affairs, 15 October 2015.

204 Federal Ministry of Labour, Social Affairs and Consumer Protection, *Sozialministerium: Lehre für jugendliche AsylwerberInnen nun auch in Mangelberufen möglich*. Press Release, 6 October 2015, available at www.ots.at/presseaussendung/OTS_20151006_OTSO033/sozialministerium-lehre-fuer-jugendliche-asylwerberinnen-nun-auch-in-mangelberufen-moeglich (accessed on 26 November 2015).

ANNEX

A.1 List of Translations and Abbreviations

English term	English abbreviation	German term	German abbreviation
Act Governing the Employment of Foreigners	–	Ausländerbeschäftigungsgesetz	AuslBG
apprenticeship	–	Lehre	–
Asylum Act	–	Asylgesetz	AsylG
Asylum, Migration and Integration Fund	AMIF	Asyl-, Migrations- und Integrationsfonds	AMIF
Austrian Economic Chambers	–	Wirtschaftskammern Österreichs	WKO
Austrian Federal Economic Chamber	–	Wirtschaftskammer Österreich	WKÖ
Austrian Integration Fund	–	Österreichischer Integrationsfonds	ÖIF
Austrian Trade Union Federation	–	Österreichischer Gewerkschaftsbund	ÖGB
Basic Welfare Support Agreement	–	Grundversorgungsvereinbarung	GVV
Chamber of Labour	–	Arbeiterkammer	AK
Citizenship Act	–	Staatsbürgerschaftsgesetz	StbG
Contact Points for Persons with Qualifications from Foreign Countries	AST	Anlaufstelle für Personen mit im Ausland erworbenen Qualifikationen	AST
European Convention on Human Rights	ECHR	Europäische Menschenrechtskonvention	EMRK
European Migration Network	EMN	Europäisches Migrationsnetzwerk	EMN
European Union	EU	Europäische Union	EU
European Network of Information Centres-National Academic Recognition Information Centre	ENIC-NARIC Austria	Europäisches Netzwerk der Informationszentren-Nationales Informationszentrum für akademische Anerkennung	ENIC-NARIC Austria
Federal Law Gazette	FLG	Bundesgesetzblatt	BGBL.
Federal Ministry for Europe, Integration and Foreign Affairs	–	Bundesministerium für Europa, Integration und Äußeres	BMEIA
Federal Ministry Law	–	Bundesministeriengesetz	BMG

English term	English abbreviation	German term	German abbreviation
Federal Ministry of Education and Women's Affairs	–	Bundesministerium für Bildung und Frauen	BMBF
Federal Ministry of Labour, Social Affairs and Consumer Protection	–	Bundesministerium für Arbeit, Soziales und Konsumentenschutz	BMASK
Federal Ministry of Science, Research and Economy	–	Bundesministerium für Wissenschaft, Forschung und Wirtschaft	BMWFW
Federal Ministry of the Interior	–	Bundesministerium für Inneres	BMI
Federal Office for Immigration and Asylum	–	Bundesamt für Fremdenwesen und Asyl	BFA
Federal State	–	Bund	–
Federation of Austrian Industries	–	Industriellenvereinigung	IV
International Organization for Migration	IOM	Internationale Organisation für Migration	IOM
LEFÖ (Counselling, Education and Support for Migrant Women)	LEFÖ	LEFÖ (Beratung, Bildung und Begleitung für Migrantinnen)	LEFÖ
National Action Plan on Integration	NAP.I	Nationaler Aktionsplan für Integration	NAP.I
National Contact Point	NCP	Nationaler Kontaktpunkt	NKP
Needs-based Guaranteed Minimum Resources	–	Bedarfsorientierte Mindestsicherung	BMS
Official Journal of the European Union	OJ	Amtsblatt der Europäischen Union	ABl.
Permanent Residence – EU	–	Daueraufenthalt – EU	–
province	–	Bundesland	–
Provincial Integration Officers Conference	–	LandesintegrationsreferentInnenkonferenz	LIRK
Provincial Law Gazette	PLG	Landesgesetzblatt	LGBl.
Public Employment Service	PES	Arbeitsmarktservice	AMS
Residence Permit	–	Aufenthaltsberechtigung	–
Residence Permit for Individual Protection	–	Aufenthaltsberechtigung besonderer Schutz	–
residence title for exceptional circumstances	–	Aufenthaltsstitel aus berücksichtigungswürdigen Gründen	–
residence title for particularly exceptional circumstances	–	Aufenthaltsstitel in besonders berücksichtigungswürdigen Fällen	–
Settlement and Residence Act	–	Niederlassungs- und Aufenthaltsgesetz	NAG
social partners	–	Sozialpartner	–

English term	English abbreviation	German term	German abbreviation
Support Committee for the Integration of Migrants	–	Unterstützungskomitee zur Integration von MigrantInnen	UKI
United Nations High Commissioner for Refugees	UNHCR	Flüchtlingshochkommissariat der Vereinten Nationen	UNHCR
Vienna Employment Promotion Fund	–	Wiener ArbeitnehmerInnen Förderungsfonds	waff
vocational education and training	VET	Berufsausbildung	–
Vocational Training Institute	–	Berufsförderungsinstitut	BFI

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