

Challenges for Separated Children in Austria

- National desk study carried out by Asyl Koordination Österreich,
partner in the Daphne project; “Better Integration of Separated Children –
capacity building and exchange of good practise to prevent violations of their rights”.

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Background

Asylum Status¹

In 2009, 3,247 people received asylum status in Austria. In 1,247 cases the decision was reached by the Asylum Court (second instance); exactly 2,000 cases were decided by the Federal Asylum Agency (first instance). Main countries of origin: Russian Federation 1,398; Afghanistan 587; Iraq 177; Somalia 149.

Subsidiary Protection²

In 2009, 1,536 people were granted subsidiary protection. In 375 cases the Asylum Court made the decision; 1,161 cases were decided by the Federal Asylum Agency. Main countries of origin: Afghanistan 535; Russian Federation 312; Iraq 11; Serbia 62.

Asylum and Subsidiary Protection for Separated Children

Total number of applications submitted by separated children³ in 2009: 1,185. In 123 cases, the authority responsible for the asylum procedure did not believe the age claimed by the asylum seekers and declared them as adults. Therefore, the official number for separated children is 1,062. At the time of application 43 separated children were younger than 14. Main countries of origin 2009: Afghanistan 456; Nigeria 119; Russian Federation 63; Moldova 61.

Official statistics concerning the apportionment of subsidiary protection and asylum to separated children are not available. A survey carried out for this report at housing facilities for unaccompanied minors showed the following results:

Country of Origin	Subsidiary Protection m	Asylum		F
		f	M	
Afghanistan	114	1	6	3
Somalia	8	2		1
Iran	0		1	
Irak	5			
Serbia	1			
Guinea	1			
Nigeria	0			1
Gambia	2			1
Russian Federation	2			1
Liberia	1			
Mauritania	1			
Ethiopia		1		
Stateless	1			
Eritrea		2		3

¹ Federal Ministry of Interior, www.bmi.at

² Federal Ministry of Interior, www.bmi.at

³ Federal Ministry of Interior, www.bmi.at

TOTAL	136	6	7	10
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In 2009, 142 separated children were granted subsidiary protection, a relatively high number in comparison to the 17 separated children who received asylum status. The vast majority of minors who received subsidiary protection in 2009 came from Afghanistan (114). If one considers the gender distribution, estimations show⁴ that 95% of the applications were submitted by boys; girls have as high a chance as boys of receiving subsidiary protection (136 boys, 6 girls); the likelihood of being granted asylum is for girls, on the other hand, considerably higher than for boys (10 girls, 7 boys).

The duration of the asylum process varies considerably. While the Federal Asylum Agency Branch Office in Traiskirchen often made quick decisions concerning Afghans in 2009, unaccompanied minors residing in Vienna usually waited one year or sometimes longer for an initial decision.

An exact comparison of the apportionment of asylum or subsidiary protection between adults and unaccompanied minors is not possible, and this would still be problematic even if official statistics were available. Due to the often very long application process, many refugees who are still minors at the time of submitting their applications often “age out” by the time a decision is made which can lead to a distortion of the results.

From the present data three conclusions can, however, be easily made:

1. While the total population of asylum seekers is granted asylum more often than subsidiary protection, the results are exactly the opposite in the case of separated children.
2. Girls have a considerably higher chance of receiving asylum than boys.
3. The country of origin is the most important factor when granting asylum or subsidiary protection.

Characteristics of the different groups

Educational background

In Austria, data regarding educational background is collected during the course of the asylum procedure, however, this information is neither processed any further nor used for integration measures and is therefore not available for analysis.

Afghans make up, by far, the largest group of separated children with a possibility of sustainable integration in Austria. These young people have experienced many years of war and chaos und frequently possess a discontinuous school and educational career. A large number began working at the age of 12 after completing primary school. However, many compensate for this educational deficit with their ambition, motivation und commitment.

Experiences in homeland and on the journey

Experiences in home countries are characterized by war, persecution und a sense of loss. The journey to Europe is usually only possible for those belonging to a privileged social class. The escape routes the minors take are, for the most part, dangerous and very arduous. To illustrate this, H. tells his story:

H: Sure, I came with smugglers from Afghanistan to Austria. At that time there was only one way, I went through

⁴ Schätzung der asylkoordination österreich

Russia and Iran. I don't know the exact route, often I didn't know which country I was in. You are passed on from smuggler to smuggler until you reach your destination. When I got to Austria, I didn't know I was in Austria. It's a small country, and many people in Afghanistan don't know Austria.

My journey took about two months, and it was horrible. You don't know what's going to happen in one hour, in two hours. We had to swim through rivers, ride in a small boat. That was really dangerous. I was travelling with three families with small children. My biggest fear was what would happen if the boat capsized. What about the family? Maybe at the time I didn't see how dangerous it really was. Now I think about all the things I've experienced.

Separated children from African countries are often subjected to even greater danger during their journeys to Europe. First and foremost the crossing of the Mediterranean takes the lives of many unaccompanied children.

Family ties and network to home country

The majority of separated children attempt to contact family members, however, this is not always successful. Often they are extremely worried about their family.

"I miss my family, I'd like to see where my family is" (T14,84f).

Interesting is the fact that minors, whom have been granted asylum or subsidiary protection, contemplate thoughts of returning home more intensely. Two separated children expressed this inner conflict:

"...can stay here, but don't know, how can without family" (T1,296).

"... Austria also good, to stay in Austria, but you are alone so long, I miss my family, would like to see where my family is" (T14,84f)

Family ties and network in destination country

In a few cases relatives are already residing in the country and family members are able to reunite. A.M. reports:

"When I came here, the police asked: what's your name? Then the interpreter came, he asked, where are you going? What do you want to do here? I said I was looking for my brother, I wanted to know if he was here, whether he was dead or not, that's all I want to know! He said if my brother is in Europe, I can find him. I said, ok, I'll wait here three days, if you can find my brother, then I'll stay here, or go where he is. After three days suddenly my brother was here, I would have never thought, that my brother was here. I haven't seen him for eight years."

Refugee communities frequently play an important role in the reception/arrival phase as well as in the integration process. It's worth noting, however, that cooperation with the professional social services doesn't always run smoothly. The community representatives, in part, give alternative advice and have different expectations of the separated children than the guardians, legal counselors or housing facilities do.

Reasons for staying in the country (is the receiving country mostly meant to be a transit country, or was it the target?)

In 2008, a total of 592 separated children in the EAST were cared for by Verein Menschen.Leben. In this year, 331 minors were placed in semi-residential facilities, 151 chose to leave the facility early.⁵

⁵ Jahresbericht 2008; Verein Menschen.Leben - Clearingstelle EAST-OST

Because nearly all separated children in the admission procedure go through a restrictive age assessment procedure, it can be assumed the number of unaccompanied minors who leave Austria in order to avoid deportation to another Dublin State will increase. Only in a few cases does a separated child continue on to another country even after receiving placement in a housing facility. Separated children granted asylum or subsidiary protection nearly always remain in Austria. Whether that is primarily due to the restrictive EU travel and settlement regulations⁶ or a personal decision is not clear.

(Legal) framework for the integration of separated children

Residence permit (including the opportunity to stay/obtain Residence permit/citizenship after they reach 18)

In both cases the protective status doesn't change directly when the child reaches the age of 18. However, because subsidiary protection must consistently be extended, it is not uncommon that the minor loses his or her residence permit after turning 18.

As of 1 January 2010, it is possible after five years of subsidiary protection to change to the residence system under certain requirements. This increases the chances to legally stay for those affected because in this case, the extension of the residence permit is no longer dependent upon the country of origin.

A foreigner will only be granted citizenship when *“he has resided for at least ten years lawfully and continuously in the country and has had a residence permit for at least five of those years; “(§ 10. (1) StbG) and when he has fulfilled additional conditions – i.e. self-sufficiency, a clean record ... (§ 10 Abs. 1 Z 2 bis 8). These conditions also apply to those granted subsidiary protection. However, those granted asylum status already have the possibility to apply for citizenship after six years (§ 11a Abs. 4 Z 1 StbG).*

Transfer from asylum procedure to integration procedure

After asylum is awarded, basic services are available for an addition 4 months to cover housing and care, after which the youth welfare agency is also (for young adults social welfare) responsible for the financing.

The Austrian Integration Fund (ÖIF) offers special services for the linguistic, vocational und social integration for those granted asylum and subsidiary protection. The European Refugee Fund provides financial support for integration projects aimed at refugees awarded asylum and subsidiary protection. The ÖIF is responsible for the assessment, administration und monitoring of submitted projects.

Location, free to move (freedom of movement)

Within the borders of Austria there are no travel restrictions for separated children with subsidiary protection or for recognized refugees. Refugees having asylum status receive a convention travel document (§ 94. FPG 2005), which also functions as a travel document/passport. In contrast, those with subsidiary protection only receive an identity card (§ 52. AsylG 2005) which is not considered a travel document. For international travel an alien's passport would be necessary, however, this is only issued when required for humanitarian reasons. (§ 88. FPG 2005).

Under-age foreigners can apply for an alien's pass themselves at the age of 14. In some cases the

⁶ die Niederlassungsfreiheit gilt nicht für Asylberechtigte; subsidär Schutzberechtigte haben meist nicht einmal die Freiheit innerhalb der Schengen Länder zu reisen

issuance requires the approval of a legal representative.... (§89. FPG 2005).

Language schools, school

As part of the federal care provisions, unaccompanied children receive a maximum of 200 units of German language instruction (Art. 9 Abs. 13 GVV 2004). Older children have the possibility to attend a preparatory course for the lower secondary school examination. Federal care will cover up to 726 € of the costs.

For children residing permanently in Austria, this includes unaccompanied children as well, there is a general compulsory school requirement. This begins at the age of six and continues for nine school years (§4 Abs. 1 SchOG). The right to education for asylum seekers who are compulsory school age is fundamentally met, the attendance of a primary, secondary or technical school is allowed after receiving admission to the asylum procedure. This also applies to unaccompanied children granted subsidiary protection or asylum. Special instruction in German can take place parallel or be integrated or added-on to the normal school instruction.

In 2009, tuition fees were abolished in Austria. However, this does not apply to foreign students. For students from extremely under-developed nations –which some asylum seekers come from – no tuitions fees will be required pursuant to the Tuition Fees Ordinance.

Education/work

Asylum seekers with the right to stay (since 1.1.2008) immediately have unrestricted access to the Austrian labor market. The provisions under the Foreign Employment Law cannot be applied to foreigners (AuslBG) whose asylum status (§ 3 AsylG 2005) or subsidiary protection status (§ 8 AsylG 2005) has been recognized (§ 1 Abs. 2 AuslBG).

Contrary to asylum seekers, separated children granted asylum or subsidiary protection are free to do an apprenticeship, as well as take part in professional/vocational training financed by the employment office.

Recreational opportunities

For asylum seekers with authorization to stay, improvements have been made concerning recreational possibilities due to the freedom to travel and take part in free-time and organized activities (see section: location, free to move) within and outside of Austria.

Financial support, social support

In the first four months after receiving asylum status, the accommodation and care of refugees with authorization to stay continues to be covered within the federal care provision (Artikel 2 Abs. 1 Z 6. GVV), following this time period youth welfare services must carry the costs. Refugees with subsidiary protection, on the other hand, continue to receive support by means of the federal care.

Asylum seekers with the right to stay and, in part, those with subsidiary protection, receive financial support (social welfare) from the federal provinces; however this support is not uniformly regulated. Generally, only Austrian citizens are entitled to the benefits of the Vienna Social Welfare Law. However foreigners under the regulations of the Asylum Law 2005 or refugees granted asylum or subsidiary protection are viewed as equal to Austrians (§ 7 WSHG).

Local integration support

The guardian (in most cases the youth welfare services) carries the responsibility to provide for local integration.

Health (physical and mental)

Refugees granted subsidiary protection remain, when they have no earned income, covered by the regional health insurance fund (Artikel 6 Abs. 1 Z 5 GVV). For asylum seekers with the right to stay, social welfare is responsible after four months. They receive the same level of medical care as Austrians; however, they are not issued a social security card as the processing increases bureaucratic expenses.

Asylum seekers with the allowance to stay or subsidiary protection are issued a social security card if they are employed.

Housing

The possibilities of accommodation increase for refugees with subsidiary protection as well as for separated children granted asylum. Those with subsidiary protection – as long as they need assistance – will continue to receive support from federal care; for asylum seekers with the allowance to stay, youth welfare services becomes responsible after four months.

Guardianship

In Austria, a guardian is appointed in most cases after gaining admittance to the asylum process and accommodation. Usually the court transfers guardianship to youth welfare agency in charge (§ 213 ABGB). After the granting of asylum or subsidiary protection, the guardian takes on a significant role in supporting the efforts of integration.

For the youth welfare agency functioning in the role of guardian, the same duties in care taking that apply to parents. The ABGB (General Civil Code) mandates a comprehensive level of care with minors. This means considerably more than a timely reaction in crisis situations; it implies an obligation to provide comprehensive care.

Monitoring of services

The guardian is responsible for ensuring that the unaccompanied minor receives adequate care. The youth welfare agency is free to delegate tasks to third parties, however, is obligated to maintain overall responsibility. The guardian is responsible for preventing any harm to the development of the minor and to support his talents in the best way possible.

The district court in charge can ultimately function as a monitoring authority. Should the youth welfare agency fail to comply with its duties, it could be legally prosecuted for negligence of a minor (§ 92 Abs 2 StBG). As a last resort, it is even possible that the youth welfare agency's guardianship role is terminated by the court due to neglect of a minor.

Separated children's involvement in decisions

In the integration process the youngsters have more freedom to actively play a part in the design of their lives than during the asylum procedure. This mainly has to do with the areas of vocational training (employment office provisions, apprenticeships), employment, accommodation (youth welfare agency

facilities, private housing) und place of residence (choice of locations).

Important actors involved – professional and volunteers

- Social workers in housing facilities
- Legal representatives
- Guardians
- Schools or educational programs (teachers, classmates)
- Austrians and their private and professional networks (i.e.. sponsors in the “Connecting People” Project)

Network – family ties and family reunification

Separated children granted asylum or subsidiary protection can (§2(1)22 AsylG 05) arrange for family members to come to Austria. For those children with subsidiary protection this is not possible, however, until after the first extension of the subsidiary protection status.

According to § 2 (1) 22 AsylG 2005, a family member is: A spouse/marriage partner, provided that the marriage already took place in the country of origin; a parent of a minor or minors whom at the time of the application were unmarried and under 18 years of age.

The authorities can request certified documentation, DNA tests und age assessments of family members. Separated children are placed under enormous pressure because of difficulties raising the money for the family reunification. If in fact the person in question is a family member, the BMI is obliged to refund the costs of a DNA test (§18 Abs. 2 AsylG), however, the problem of pre-financing remains. Nobody is prepared to bear the risk.

Impact of the (legal framework) in practice

Residence permit (including the opportunity to stay/obtain residence permit/citizenship after they reach 18

The renewing of subsidiary status, as a rule, is provided only for a period of one year, whereby in actual practice there are great regional discrepancies. In Vienna, Upper Austria and Salzburg the renewal can only be extended for one year. In Lower Austria, in some cases, it can be extended up to five years. Sometimes, subsidiary protection is provided for five years at the same time as the first renewal is issued, sometimes this is only provided after the third renewal, and sometimes not at all. It is unclear why the officials handle the situation in this way. There is no recognizable system behind it.

Location, free to move (freedom of movement)

In practice, this means that a separated child with subsidiary protection can only visit his mother, who has fled to Germany, if she is gravely ill and this illness can be proven. A sister's wedding, on the other hand, is not a valid excuse for the Austrian authorities to warrant the issuing of an alien's passport.

A similar problem arises when a minor is a member of a sports club and is scheduled to participate in an athletic event abroad. In most cases, he will not be issued an alien's passport for this.

Language schools, school

Separated children, within the federal care provisions, are given the opportunity to participate in language courses. In practice, in provincial areas, however, it is often very difficult to arrange for an adequate choice of courses. Children with subsidiary protection and recognized refugee status also have the additional opportunity to attend German courses financed through the employment office.

It cannot be assumed that youngsters, even when the necessary ability is present, will actually end up attending further vocational schools or pursuing higher education. They are very dependent on the readiness of the schools or institutions in question and the support of counseling organizations and people. The question of education is especially difficult concerning children who come to Austria and have exceeded the age for compulsory education. Only after careful consideration and a special willingness on the part of the individual schools will a youngster be allowed to enter a lower secondary school (4th year middle school) or a polytechnic school and only in very rare cases a higher secondary school.

Once the child is no longer a minor, it becomes very difficult to pursue further education. In Vienna it is possible to receive social benefits while attending 9th grade (or a course at a secondary school that will lead to graduation), however the youngster must prove that he/she has registered with the employment office.

The housing facilities support youngsters in trying to get them to acknowledge and pursue their further education. As long as they are under-age, there is no outside pressure placed on them to become independent, however, many youngsters feel the need to earn money as quickly as possible. When they have reached the age of consent – especially those who want to pursue higher education – these young people are pressured by the social welfare services to put an end to their education in order to get a job.

Unaccompanied minors with subsidiary protection, who reside in a housing facility operated by Diakonie in Lower Austria, can, if they are attending school, have the option of moving into a shared-apartment once they have turned 18; they can live there for up to three years. In this way they are given a chance to finish the education which they have started.

Youth are usually very pleased to pursue educational options. One participant of the project EPIMA had this to say: “Something very special for me in Austria here is this education what I am doing here. This school I am going to now. I mean, I feel it is something very special for me. I thank God that I am part of it.” (T 9 Z. 57f)⁷.

In Upper Austria, a tremendous amount of pressure is placed on refugees with subsidiary protection. They are expected to look for work in order to avoid living off social welfare. Even with minors the provincial authorities send a written enquiry. Questions are being raised as to why an individual is not working. For instance, if the Volkshilfe Oberösterreich (an NGO) informs officials that a child is currently enrolled in school/an educational program, no further pressure is placed on the minor to find employment.

Education/work

Even if legally no discrimination regarding access to apprenticeships exists, without personal networks in only a few cases do young asylum seekers find a suitable training position. Diakonie’s housing facility

⁷ Integration ohne Arbeit? S 105

for unaccompanied children in Mödling describes the situation in their response to the survey:

„Many separated children would like to do an apprenticeship, however, this proves to often be very difficult. Most of the children are very close to their 18th birthdays, when they graduate from school, so most don't have much time. Furthermore, companies must pay more to apprentices over 18 years old, which is an added disadvantage. Moreover, mediocre grades, an external lower secondary school leaving certificate and ethnicity/ nationality can impede the search for an apprenticeship. Nevertheless, last year we were able to find good apprenticeships for three youngsters!”

Under the existing conditions, the advantage of a free and accessible employment market can only be realized in part by unaccompanied minors with subsidiary protection. For the employer, there is always the risk of losing a well-trained employee if the protected status is not extended.

Minors with subsidiary protection are, to some extent, confronted with the problem of not being allowed to keep the entirety of their income. This is because federal care support is only granted to those in need of assistance (§ 2 Abs.1 Z 2 GVG – B). Concrete implementation of the policies in the provinces varies widely. In Upper Austria, the children can only keep 100 € from their entire income. Other provinces are less strict. The income exceeding the accepted amount is accrued (partially or entirely) from guardians and issued to the separated children upon reaching 18 years of age. With this the youth have start seed capital which is desperately needed to establish independence. For example, in order to be able to put down a deposit and pay the commission for the rental of an apartment or to make necessary investments.

Changes are constantly occurring concerning saving money. In Lower Austria, until the end of 2009, the entire income from unaccompanied minors was put into a savings account and made available to the youngsters after turning 18. However, since January 2010, 50% is deducted and reimbursed to the youth welfare agency for its services.

An important and positive effect of employment market accessibility is the possibility to attend educational programs financed by the employment office. In practice, unaccompanied children consistently take advantage of these opportunities. For instance, in Graz, Caritas offers training courses in the areas of construction, gastronomy and social services.

In Vienna several separated children with subsidiary protection were able to find jobs after participating in the JAWA training program.

Recreational opportunities

In several federal provinces costs for free-time activities for convention refugees and those with subsidiary protection status are paid for by guardians.

financial support, social support

Often the attendance of educational programs is discontinued after youngsters reach the legal age of 18 and relocate to alternative housing. The reason for this is that often there are no care givers and friends who exert a positive influence (much is also lost in the area of relationships with the move from the SC housing facility) as well as increasing financial stress. Refugees with subsidiary protection often live in private housing and are badly in need of money for rent. Initially they mostly work on the side, later, however, school is often discontinued.

Local integration support

As long as the youngsters with subsidiary protection are still minors, in Vienna they have the right to live in subsidized housing and youth welfare services cover the cost of the rent until the age of 18. The problem is that in order to be eligible for these benefits the children need to have lived in Vienna for a minimum of five years, which is seldom the case.

Concerning integration, the project “connecting people” run by the non-governmental organization “asylkoordination österreich”, which seeks to offer young refugees and asylum seekers orientation and safety through the establishment of a long-term and stable relationship with a so-called godmother/godfather, could be identified as good practice.⁸

Health (physical and mental)

Healthcare for separated children is covered by federal care provision, which also includes psychotherapy. There are, however, large gaps when it comes to the treatment of psychological problems. This dilemma in the area of mental health care affects both refugees granted asylum and those with subsidiary protection status.

Housing

The regulations vary greatly between the individual federal provinces. Ideally, the right to asylum or granting of subsidiary protection provides several options in regard to securing adequate housing and care.

- Staying in accommodation provided by federal care provisions (funding agencies vary)
- Accommodation provided by youth welfare services
- Individual accommodation with outpatient care via the youth welfare agency

In Vorarlberg, convention refugees continue to be cared for at the same daily rate as asylum seekers. However additional financing for computer courses, money for school and further education is possible.

In Lower Austria, separated children with subsidiary protection are only allowed to stay in accommodation provided by federal care for a period of four months after they have turned 18, after which they need to find an apartment on their own.

One question that arises concerning the housing of unaccompanied minors with subsidiary protection is what will happen when the social minimum guarantee (as of September 1, 2010) becomes a reality? The province of Salzburg views this, in regard to SOS-Kinderdorf (SOS Children’s Village), as allowing for minors to be eliminated from receiving federal care. This would mean that youth welfare services would have to jump in and carry the costs of housing. Much resistance can be expected on this issue.

Guardianship

The legal guardian has the responsibility for providing for the well-being of the youngsters through the integration process. In practice, however, personal contact between the youngsters and the guardians is often practically non-existent, whereas there are definitely positive exceptions (Linz, Tirol, several districts in Vienna).

⁸ European Migration Network; POLICIES ON RECEPTION, RETURN, INTEGRATION ARRANGEMENTS FOR, AND NUMBERS OF, UNACCOMPANIED MINORS IN AUSTRIA (2009)
<http://emn.at/News-article-folder-325.phtml?POSTNUKESID=bcfffa5a32ad59b747974208cf9c9e84>

The results of the survey given to the housing facilities for unaccompanied minors showed that providing subsidiary protection changed nothing, or very little, regarding the form and organization of the guardianship. Only in a few cases did regular personal contact leading to an active involvement/participation in favor of the child's well being, actually take place.

Monitoring of services

Youth welfare services need to be more involved in the integration processes of especially youngsters with asylum status, because now this affects their own budget/has an effect on their own budget/
Youth welfare services should get more involved in the integration process of youngsters with asylum status in particular, because now their budget is also being affected by this. For this group chances are greater that – if necessary – the measures can be extended beyond the age of consent.

Separated children's involvement in decisions

Separated children definitely have the possibility to play an active role in the design of their integration process. In principle, they are free to decide between schooling, vocational training and employment. Also in the area of accommodation, they essentially have more opportunities to take part in the decision making process than separated children seeking asylum

Network – family ties and family reunification.

Unaccompanied separated children granted asylum or subsidiary protection can ask for assistance from the Austrian Red Cross in finding family members and with family reunification.

The housing facility operated by Diakonie (NGO) for separated children in Mödling reported in the survey of several ongoing applications/requests for family reunification. Some of these have been pending for up to 1 ½ years. Time and again is additional documentation required from the authorities, which is, however, often difficult provide.

Volkshilfe Upper Austria: In one case a 16-year-old tries to reunite his family. Financing of the DNA test and air fare constitute the main problem. The youngster feels an incredible amount of pressure because he can't come up with the money.

In Tirol, DNA tests have been paid for by the youth services agency Tirol in three cases so far. The BMI is now demanding reimbursement of the costs.

In previous years family reunification was for the most part simpler to organise. With an unaccompanied minor from Somalia, the reunification of a family of nine was still possible without problems. In another case it was very simple to reunify the family. No DNA test was required and the reason given by the authorities was a striking resemblance to the family members in a photo!

Project ELONGO, a partnership between Diakonie and ÖRK which also provided financial support for family reunification (travel costs), was discontinued.

Gaps in the integration system that lead to challenges for the separated children

Absence of collaborative thinking and action of the actors- in terms of what is best for the child

A big problem is that little collaborative thinking and action takes place in this missing. The well-being of the minor is often not sufficiently considered in the decision making process.

For the Federal Care provision it is of primary importance/crucial that the costs for accommodation and care be taken over by social welfare or the youth welfare agency/service as soon as possible. Social welfare in turn urges – for financial reasons – separated children to quickly find employment. The youth welfare agency is – mainly upon reaching legal age of consent – also often not ready to take on the costs for the continuation of schooling.

What is overlooked is that a sound education provides better chances on the employment market.

Investing in schooling/education would also be in the medium term economically expedient/worthwhile for Austrian society as a higher income later on would translate into more tax revenue.

Process of gaining independence

After reaching 18 years of age, there is hardly any more assistance for the youngsters. Even though residential facilities for separated children attempt to prepare the youngsters, the transition from the facility to private/alternative housing often proves to be difficult. Moreover, the youth are often overwhelmed by/unable to cope with the “bureaucratic maze” (Federal care provisions, social welfare,...).

Guidance/Support of youth in the integration process

The legal guardian has the responsibility for ensuring/providing for the well-being of the youngsters through the integration process. In practice, however, personal contact between the youngsters and the guardians is often practically non-existent, whereas there are definitely positive exceptions (Linz, Tirol, several districts in Vienna).

Problems with family reunification

Experience shows that although separated children are legally entitled to reunite their families, the process is becoming more difficult. Problematic is the duration (at times longer than a year) as well as the costs (DNA analysis, age assessments, and travel expenses).

Limited freedom of movement for children with subsidiary protection

As a rule, separated children granted subsidiary protection are permitted to travel only within the borders of Austria. This restriction makes developing a social life difficult.

Missing long-term perspective due to uncertain right to stay for children with subsidiary protection

Subsidiary protection is generally awarded for one year, and can be extended for an additional year. As it is uncertain whether an extension will be granted, making long term plans for the future are complicated. Often youngsters are nervous and stressed weeks prior to the extension date. In some cases they are summoned by the authorities to appear for an interview which can be extremely stressful.

Challenges according to the children

Regarding integration, documents, accommodation, special programs, education, language, culture, recreational opportunities, the future etc. (only if information already exists from existing interviews).

What helps you here in Austria, who is important?

A.M.: First my brother and then my foster family/ sponsoring family, they are really important for me. It's unbelievable when I visit them because I forget about everything, we have fun, we go to the cinema, we play sports...

H.: I try, I would like to be a role model. So that Austria says one time, we're proud of you that you came here. Even though you are a foreigner, you've done a lot for Austria. For example, when I was in Germany for the world championship, there were players from 92 countries and I stood on the stage for Austria. That was really great, a very good feeling!

Travel issues for unaccompanied children with subsidiary protection

B: „The worst thing for me was not being allowed to travel. Ich hab beim Homeless World Cup mitgemacht. The cup took place in Australia. I wanted to go there but I didn't get an alien's pass. I also couldn't get a passport for Milan. This year the Cup is in Brazil, I hope it works this year! ... Besides that things are actually pretty good. My main problem is that I can't travel. I can travel to Bregenz and from there to Burgenland. Then I have to come back. I've been in all nine provinces. After a while you get used to not being allowed to travel. Once I went illegally to Germany, one time to Slovakia. I would really like to go to England. Australia would also not be bad. I've been used to travelling since I was young, in Austria it came to a stop. I've been to Pakistan, Uzbekistan, Kazakhstan, Russia, Kiev. Personally it's hard for me, I'm still not used to it because my mom is in Canada and she is sick. Together with asylkoordination österreich I'm trying that we can maybe visit her. But with subsidiary protection it's not possible... I've applied for an alien's passport. ... The official thought it would take three months. I said my mom was sick. I have to go visit her! He told me that I should come back in two weeks because he was going on holiday. I was really freaked out. I thought that there were other police officers who could take care of it. He then went on holiday and decided negatively. I then went back and asked him why he wanted to make life difficult for me.

Challenges professionals face in supporting the children

Analysis

Community cooperation/collaboration:

Communities increasingly play an important role in the arrival/reception phase as well as in the integration process, whereas the cooperation between/with the professional support structures doesn't always proceed without problems. The community representatives give in part differing advice and have other expectations of the separated children than the guardians, legal representatives or residential facilities. Here is where a intensified/stronger and more direct exchange would be helpful in order to work together on solutions for the separated children/youngsters.

Supervision of the integration process

Care givers/social workers in the housing facilities for unaccompanied children often have difficulty providing the necessary (financial) resources required for a successful integration process. Whereas it should be noted the requirements in the federal provinces and communities differ considerably. By means of an intensive sharing of experiences between care givers, it could be a successful way to generate more ideas and creative approaches to develop and implement surrounding the topic of support for separated children.

Process of establishing independence

After reaching 18 years of age, there is hardly any more assistance for the youngsters. Even though residential facilities for separated children attempt to prepare the youngsters, the transition from the

facility to private/alternative housing often proves to be difficult. Moreover, the youth are often overwhelmed by/unable to cope with the „bureaucratic maze“ (Federal care provisions, social welfare,...). At this stage it would be important to create/design projects or structures which...

Conclusion

Compilation of challenges and substantiated argument for the most crucial challenges for the integration of separated children

Support for schooling (develop a longer-term, more professional perspective)

Unaccompanied children/youth consistently have difficulties continuing with their schooling after receiving asylum or subsidiary protection. It would be important to create structures and to promote a successful academic integration. The cooperation of all relevant actors in this area would also be essential.

Family Reunification (duration, costs)

Projects need to be established which support the youth/SC with the process of reuniting their families in Austria. Of primary importance would be the appropriation of financial resources for documentation, DNA tests, age assessments and travel expenses.

Creation and implementation of a job description/job/task profile for legal guardians

To begin with/Initially it would be important to compile a collection of “Best Practice Models” which focus on the tasks legal guardians have during the integration process. This experience should then dann, im Rahmen eines Seminars, den mit dieser Frage betrauten Verantwortungsträgern (Jugendwohlfahrtsträger) nähergebracht werden. Thus sensitivities of the authorities toward this responsible duty/task/assignment/challenge would be heightened, information and assistance given. This should via the legal guardians contribute to an increase in the quality of support.

Extention subsidiary protection

The time intervals between extensions should be lengthened (as a rule for at least three years).

Speedy implementation of the asylum procedure

Pursuant to procedural law, the designated time periods of 6 months per instance should be adhered to in the case of minors. Important, however, is that quality of the procedure is also elevated. Policy makers/decision makers need to be informed about the negative impact resulting from a long and drawn out procedure.

List of literature

- Fronek, H.; Messinger, I.** (Hg.): Handbuch unbegleitete minderjährige Flüchtlinge. Recht, Politik, Praxis, Alltag, Projekte. Wien 2005.
- Fronek, H.:** Ergebnisse der Evaluation vom ersten EPIMA-Moduldurchgang. In: EPIMA (Hg.): Integration ohne Arbeit? Erfahrungen aus EPIMA – einem Projekt für junge AsylbewerberInnen. Wien 2005, S. 96-157.
- Fronek, H.:** Subsidiärer Schutz - Ausweg oder Sackgasse? In: asylkoordination österreich (Hg) asyl aktuell 2/2009, Wien, S. 11-15.
- Sax, H.:** Soziale Rechte unbegleiteter minderjähriger AsylwerberInnen. In: Nowak, M.; Tretter, H. (Hgg.): Wirtschaftliche, soziale und kulturelle Rechte von AsylwerberInnen. Wien 2004, S. 287-324.

List of interviews and consultations done in relation to the study

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Caritas PONTE Betreutes Wohnen	Denisgasse	1200	Wien
Don Bosco - Haus Abraham	Futterknechtgasse 35	1230	Wien
Caravan, Verein Projekt I-Haus	Engerthstr. 161-163	1020	Wien
Verein Zeitraum Patchwork	Fischergasse 1	1020	Wien
VH OÖ UMF Unterbringungsstelle	Blütenstrasse 5	4040	Linz
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