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**Best practices for a coordinated approach to assist  
(former) unaccompanied minor asylum seekers  
in Austria**

*National Report for the study*

*“Best practices for a coordinated approach to Assist Unaccompanied  
Minor Asylum Seekers and Former Unaccompanied Minor Asylum  
Seekers in EU Member States (CAUAM)”*

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## Executive summary

The purpose of this report is to illustrate the situation of (former) unaccompanied asylum-seeking minors in Austria. It was written in the framework of the EU study “Best practices for a coordinated approach to Assist Unaccompanied Minor Asylum Seekers and Former Unaccompanied Minor Asylum Seekers in EU Member States (CAUAM)” implemented in ten EU Member States in Central and Western Europe. The overall objective of this project is to identify good practices to assist (former) unaccompanied minors and to contribute to the creation of a common approach for better addressing their needs.

The report is based on both a desk research and a primary research and provides information on various key issues that strongly influence the living conditions of (former) unaccompanied minors who apply for asylum in Austria. The synthesis report that compares respective findings resulting from the implementation of this project in 10 EU Member States (Austria, Belgium, Czech Republic, France, Hungary, Italy, the Netherlands, Poland, Slovakia, Slovenia and the United Kingdom) was published in December 2011.

Chapter one explains the **methodology** used to produce the report and gives an overview of the different **definitions** on the international and the national level for ‘unaccompanied minors’. For this report, the definition of an unaccompanied minor as a foreign minor who is not accompanied by an adult who is responsible for the legal representation of the former, as set out in the Settlement and Residence Act, is used. Chapter one also provides **data** on asylum applications by unaccompanied minors. Austria has a long tradition as an asylum country and, in this context, receives a great number of unaccompanied minors. Between 2005 and 2010, 4,944 unaccompanied minors sought asylum in Austria. Since 2006, the numbers have been rising constantly. Most asylum applications of minors were lodged by citizens from Afghanistan (2005: 93; 2010: 297). Other important countries of origin between 2005 and 2010 were Nigeria (388), the Russian Federation (326) and Moldova (332).

Chapter two briefly outlines the Austrian **legal framework** for assistance provisions for unaccompanied asylum-seeking minors. Both the federal as well as the provincial legislation take the vulnerable situation of unaccompanied minors into account by granting certain provisions such as psychological support, access to education, German language courses and special assistance in daily life, which go beyond the assistance provided to adults. The framework for these care provisions is set out in the Basic Welfare Support Agreement (Art. 7). The Asylum Act 2005 regulates the rights of unaccompanied minors regarding legal representation (Art. 16). Moreover, the Youth Welfare Acts at the federal and provincial levels are also applicable for unaccompanied minors, as they treat non-national and Austrian children and adolescents in the same way.

Chapter three presents two **case studies** where the overall situation, worries and hopes of two individuals are reflected in detail. It gives insight into how an adolescent and a young adult view their life in Austria being (former) unaccompanied minors.

Information about **core issues**, such as the asylum procedure, guardianship, family tracing and reunification, accommodation, education, employment, leisure time or integration, which determine the general situation of (former) unaccompanied minors in Austria, is given in chapter four. It is primarily based on analyses of interviews with (former) unaccompanied minors. Because the various core issues are highly interlinked with one another, certain topics are mentioned in multiple subsections of the chapter. One main finding is that the integration of (former) unaccompanied minors into the Austrian society is highly desired by the adolescents and young adults, but difficult to

be realized because the support systems fostering integration do generally not apply to asylum seekers in Austria, therefore also not to unaccompanied minors seeking asylum. The integration of (former) unaccompanied minors into the Austrian regular school system and into the labour market is equally challenging, as practical access to the respective structures is limited. Another main finding of this report is that turning 18 can mark a particular demanding period in the life of (former) unaccompanied minors due to the differences in legal treatment of unaccompanied minors and adult asylum seekers. The reaching of adulthood means, for example, the loss of guardianship provisions. The provisions regarding family reunification also become different once an unaccompanied asylum-seeking minor reaches 18 years of age: They no longer qualify for reunification with their parents and minor siblings and are only eligible for reunifying with their spouses and minor children which, in most of the cases, is not applicable. It additionally affects the situation of housing, as most of the young adults have to leave their former accommodation facility and are transferred to accommodation facilities for adults or individual flats and, as a result, lose the special care they had received before.

Chapter five illustrates **good practices** and **key gaps** in the field of unaccompanied asylum-seeking minors, identified on the basis of the interviews with (former) unaccompanied minors and professionals. Positive experiences were reported especially with regard to the overall living conditions in Austria since the implementation of the Basic Welfare Support in 2004 as well as with regard to different mentoring programmes providing (former) unaccompanied minors with support in various areas of daily life. Critique was first and foremost expressed on different aspects of the asylum procedure, such as its duration as well as the financial resources assigned to the general reception of (former) unaccompanied minors. The chapter is completed by **conclusions** derived from the analysis of all material following **recommendations** for future arrangements for (former) unaccompanied minors in Austria. Interestingly, areas that the consulted professionals and (former) unaccompanied minors positively evaluated overlap with areas where shortcomings were reported. This clearly demonstrates that, although certain practices appear to work well, additional efforts still need to be made to properly meet the needs of (former) unaccompanied minors in Austria.

# 1 Introduction

This chapter describes the methodology applied to produce this report. Furthermore, it illustrates the most common definitions used in the context of unaccompanied minors and provides available statistics on the numbers of unaccompanied minors in Austria.

## 1.1 Methodology

This report was produced on behalf of the European Commission (EC) within the framework of the project “Best practices for a coordinated approach to Assist Unaccompanied Minor Asylum Seekers and Former Unaccompanied Minor Asylum Seekers in EU Member States (CAUAM)”.

The report follows common specifications developed by IOM Budapest for ensuring a comparable analysis among all participating countries<sup>1</sup>. It is based on two major sources, namely the existing up-to-date literature on unaccompanied minors in Austria and the interviews held in the course of the primary research for the report. It is thus a compilation of available information on the issue of (former) unaccompanied minors in Austria gained through primary and secondary research.

As the aim of this report is not to produce an academic contribution to the debate but to create a country report within a wider context of a comparable study, the core of the literature considered for this report focuses on main publications on unaccompanied minors in Austria; these are the monograph “Unbegleitete minderjährige Flüchtlinge in Österreich”<sup>2</sup> published in 2010 by Heinz Fronek, the current report “Separated asylum-seeking children in European Union Member States”<sup>3</sup> by the European Union Fundamental Rights Agency (FRA), the national study “Policies on Reception, Return, Integration Arrangements for, and Numbers of, Unaccompanied Minors in Austria”<sup>4</sup> by the Austrian National Contact Point within the European Migration Network (EMN) and the handbook “Exchange of Information and Best Practices on First Reception, Protection and Treatment of Unaccompanied Minors”<sup>5</sup> by the International Organization for Migration (IOM). In addition, several legislation texts were included in the report at hand.

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<sup>1</sup> The synthesis report comparing findings from all ten EU countries is available from [http://www.iom.hu/index.php?option=com\\_content&view=article&id=13&Itemid=15&lang=en](http://www.iom.hu/index.php?option=com_content&view=article&id=13&Itemid=15&lang=en).

<sup>2</sup> This monograph was published in 2010 by Heinz Fronek from the “asylkoordination österreich” and consolidates the voices of unaccompanied minors, the relevant legal framework on the European, national and regional level as well as (historical developments of) Austrian practices regarding unaccompanied minors.

<sup>3</sup> This comparative report, published in April and November 2010, is based on primary research through semi-structured individual, face-to-face interviews with 336 separated children and 302 professionals working with separated children in 12 EU Member States (Austria, Belgium, Cyprus, France, Hungary, Italy, Malta, The Netherlands, Poland, Spain, Sweden and the United Kingdom). They are available from [http://fra.europa.eu/fraWebsite/attachments/FRA-summary-sep-asylum-conference-2010\\_EN.pdf](http://fra.europa.eu/fraWebsite/attachments/FRA-summary-sep-asylum-conference-2010_EN.pdf).

<sup>4</sup> This report, published in 2009, represents one of 24 country reports which were produced by the EMN National Contact Points. For the purpose of updating and completing the existing literature on unaccompanied minors in Austria, interviews with key participants and observers took place and a questionnaire was sent to different governmental and non-governmental stakeholders. It is available from [http://www.emn.at/images/stories/UAM\\_AT.pdf](http://www.emn.at/images/stories/UAM_AT.pdf).

<sup>5</sup> This manual was firstly published by IOM in 2008. The second and updated edition (2010) is a result of ‘exchange visits’ – which enabled gathering information and best practices – among agencies and service providers who work with unaccompanied minors in six EU Member States (Austria, Belgium, Bulgaria, Czech

Primary research was carried out with different target groups: A series of semi-structured interviews was conducted with unaccompanied minors and former unaccompanied minors<sup>6</sup> who have sought asylum in Austria, and professionals who work with (former) unaccompanied minors on different levels. Between January and March 2011, a total of 13 unaccompanied minors, ten former unaccompanied minors (one female adolescent who had received asylum in Austria and nine young adults who were over the age of 18) as well as 13 experts with different professional backgrounds were interviewed.

The report was written by Daniela Blecha (Researcher/Project Coordinator at IOM Vienna), supported by Edma Ajanovic, Cornelia Meier and Natalia Starowicz (Interns at IOM Vienna) and supervised by Katerina Kratzmann (Officer in Charge and Head of Research at IOM Vienna). Special thanks go to Katie Klaffenböck (Project Assistant at IOM Vienna) and Mária Temesvari (Legal Advisor at IOM Vienna) for further valuable support and input for the report.

### **1.1.1. Access to the target groups**

Access to the group of unaccompanied minors was mainly reached through different accommodation facilities in Vienna and Lower Austria which host unaccompanied minors. After contacting the facilities, the respective care workers informed the minors about the possibility to participate in the project and facilitated the contact to those who were interested. The persons who finally agreed to be interviewed were between 14 and 17 years old and came from Afghanistan (9), East Africa<sup>7</sup> (2), Central Asia (1), and the Russian Federation (1). Among these, there were nine boys and four girls.

Contact to the group of former unaccompanied minors who were at least 18 years of age by the time of the interview was primarily established through a Viennese education centre which provides courses and language classes to (former) unaccompanied minors. In addition, the above mentioned accommodation facilities hosting unaccompanied minors also assisted with identifying young adults who used to live at their housings. The participant's ages ranged from 18 to 20 and their countries of origin included Afghanistan (4), East Africa (2), North Africa (1), West Africa (1) and Central Asia (1). Of these nine young adults interviewed, six were male and three were female. Another participant was a former unaccompanied minor in the sense that she had received asylum in Austria. This adolescent was 16 years old and came from East Africa. Altogether, there were three participants – two young adults who were former unaccompanied minors – who had received a permanent residence status in Austria.

The professionals who gave an interview for the purpose of this study were chosen on the basis of their background, with the aim to compose a group of interviewees with diverse expertise. Their fields of knowledge included legal procedures, family tracing and reunification, accommodation, education, employment and integration as well as more general issues such as the overall living conditions and situation of (former) unaccompanied minors in Austria. Among them were representatives from the governmental and civil society sector as well as private persons.

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Republic, Poland, Romania). It is available from [http://www.belgium.iom.int/document/EUAM\\_report\\_2010.pdf](http://www.belgium.iom.int/document/EUAM_report_2010.pdf).

<sup>6</sup> The term former unaccompanied asylum-seeking minors refers to age: young adults who came to Austria unaccompanied and underage but who, in the meantime, have reached majority age and are now over the age of 18 years old. Additionally, it refers to the status: unaccompanied minors whose application for asylum has already been concluded, either with a positive or a negative decision, no matter how old they are.

<sup>7</sup> The indication of the precise country of origin was omitted in all cases where the anonymity of the interviewee was threatened.

### **1.1.2. Conduction of interviews**

All of the interviews were conducted face-to-face and most of them in a one-to-one setting. Six of the (former) unaccompanied minors requested to be interviewed together with a friend, and during one interview, the 'godmother' of the respondent from the project *connecting people*<sup>8</sup> was present as well. Three of the interviews with professionals were carried out in groups of two to three people as the respective institution wanted to be represented by more than one respondent.

The interviews with the unaccompanied and former unaccompanied minors took place in the accommodation facilities where they lived and in a small meeting room at the Viennese educational centre, respectively. No other persons were present apart from the respondent(s), in single cases a friend or the 'godmother' as mentioned above and one or two interviewers from IOM Vienna, so that a calm and undisturbed atmosphere could easily be created. In four cases, an interpreter was called in as translation was needed. All the other interviews were either held in German or in English, as the respective respondents had sufficient proficiency in one of these languages. The interviews with the professionals were carried out at their office and, in one case, at a café.

All interviews with the professionals except for one were recorded and subsequently transcribed. One professional did not want the interview to be recorded and provided written information instead. In the interviews with the (former) unaccompanied minors, only notes were taken in order to facilitate an open atmosphere.

The content of the interviews with the consulted professionals varied significantly. For the interviews with the professionals, different interview guidelines which reflected their individual expertise as much as possible were developed. This means that care workers from accommodation facilities for instance spoke in detail about issues such as accommodation and living conditions, leisure time and integration while respondents from the Red Cross shared in-depth information about family tracing and reunification procedures. Integration, good practices and turning 18 – topics of particular importance for this study – were discussed with all professionals.

### **1.1.3. Methodological tools**

For the interviews with the (former) unaccompanied minors, special methodological tools were developed. These included little coloured cards with different relevant terms such as asylum procedure, accommodation, plans for the future, leisure time, turning 18 or integration. These cards were used to explain the project and, more precisely, the topics of interest at the beginning of each interview. The cards were also used to give the respective interview partners the opportunity to guide through the entire conversation and to decide which issues they would like to speak about and which ones they would like to exclude by inviting them to pick cards of their choice. Even though the words were written in German language and not always entirely understood by all of the respondents, this method proved to be very helpful and was appreciated by the vast majority of the participants. In addition, the respondents were offered to rate the importance of the different issues discussed by ranking the selected cards on a scale from one to ten – an approach that allowed information to be collected about the significance of the different topics for the (former) unaccompanied minors.

The (former) unaccompanied minors were also provided with a list of dichotomies comprising adjectives such as good-bad, positive-negative, secure-insecure etc. and asked whether they would

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<sup>8</sup> The terms 'godmother', 'godfather' and 'godparents' are used throughout the report for the original project terms 'Pate', 'Patin' and 'PatInnen' as established by asylkoordination österreich, which implements the project *connecting people*. The terms 'Pate', 'Patin' and 'PatInnen' are only used in direct quotations.

like to communicate their spontaneous associations with these terms. Although this method turned out to be more difficult in certain interviews, some of the respondents provided responses which gave indications as to which of the areas strongly influencing their life in Austria they perceive working better and worse, respectively than others. In general, the interviews with the (former) unaccompanied minors were characterized by very different courses and focuses as regards content as it was tried by means of these tools to take into consideration as much as possible the individual interests and concerns as well as the well-being of the respective respondents.

One major challenge in the context of carrying out interviews with (former) unaccompanied minors, likewise with adult asylum seekers, is the fact that similarities exist between the social situation of being interviewed in the framework of a research project and being interviewed in the framework of the asylum procedure. To meet this challenge, objectives and limitations of the project – first and foremost with regard to the fact that participating in the study does not have any influence on the course and the outcome of the asylum procedure – were explained in detail to the young adults at the beginning of each interview. Nonetheless, some of the respondents might still have been sceptical and, as a result, tended to be cautious sharing their experiences and opinions with the interviewer(s), trying to say the ‘right things’ rather than revealing their ‘true’ feelings and perceptions. Hence, it remains open to some extent whether all of the information provided corresponds without any restrictions to reality. For future research projects with vulnerable groups of youth, it can be productive to apply alternative (long-term) research methodologies such as participatory observation which allow the researcher(s) to gain non-verbal information and to interact with the target group throughout a more extensive period of time – an important aspect for being able to create trust.

## 1.2 Definition of key terms

Different definitions of the term ‘unaccompanied minors’ are used in different contexts.

On an international level, a widely acknowledged definition of the term ‘unaccompanied minor’ formulated by UNHCR (1997) and the UN Committee on the Rights of the Child (2005) defines an ‘unaccompanied minor’ as:

A person under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so. (UNHCR, 1997:1)

On the European Union level, according to the Directive 2001/55/EC and the Directive 2003/9/EC (Art. 2 (h)), an unaccompanied minor is:

A third country national or stateless person below the age of eighteen, who arrives on the territory of the Member States unaccompanied by an adult responsible for them whether by law or custom, and for as long as they are not effectively taken into the care of such a person, or a minor who is left unaccompanied after they have entered the territory of the Member States. (Directive 2001/55/EC)

This definition was also referred to in the Action Plan on Unaccompanied Minors 2010-2014 (European Commission, 2010).

In Austria, the Settlement and Residence Act defines the term ‘unaccompanied minor’ as “a foreign minor who is non-accompanied by an adult person responsible for the legal representation of the former” (Art.2 para 1 (17) Austrian Settlement and Residence Act). Apart from that, further definitions are available in the Basic Welfare Support Acts of two federal provinces, namely the Federal Province of Salzburg and the Federal Province of Tyrol. While the definition applied by the



Salzburg Basic Welfare Support Act (Art. 4 para 3) corresponds with the definition in the Settlement and Residence Act, the definition of the Tyrol Basic Welfare Support Act (Art. 1) is more detailed and also refers to foreign nationals under the age of 18 years who are not accompanied by a legal representative according to not only national law but also customary law. Furthermore, it explicitly states the inclusion of underage children who were left behind in Austria. A commonality of the national definitions available on unaccompanied minors is the fact that they usually comprise both third country nationals and EU nationals.

The Austrian discourse about unaccompanied minors is characterized by the use of the abbreviation 'UMF'. The meaning of the term 'UMF', however, is ambiguous. It stands for both, 'unaccompanied minor foreigner' (unbegleiteter minderjähriger Fremder) and 'unaccompanied minor refugee' (unbegleiteter minderjähriger Flüchtling). The first interpretation refers to children who did not apply for asylum, whereas the second one can refer to both asylum-seeking unaccompanied minors and to unaccompanied minor refugees who were granted international protection. According to the Austrian EMN report on unaccompanied minors (2010:11), "this overlapping denotation can be seen as problematic as it may lead to confusion [...]" in the sense of not reflecting precisely in the use of terminology the three groups of unaccompanied minors (minors who have not applied for asylum, minors who have applied for asylum and minors who have been granted asylum) who differ from each other in terms of the (non-)regulation of their residence in Austria.

The Austrian definition of minority age as stipulated in the commentaries to the Austrian Aliens' Law, which refers to the definition of the Civil Code (Art. 21), considers any person under the age of 18 years to be a minor. Moreover, it is distinguished between 'under-age minors' (unmündige Minderjährige) who are under the age of 14 years and 'minors of age' (mündige Minderjährige) who are 14 years or older and who have limited contractual capabilities, such as signing a work contract. This age differentiation is also relevant to some extent for unaccompanied minors seeking asylum as for example the Austrian asylum law envisages that children older than 14 years can file and submit their asylum application without the presence of a guardian or legal representative while children younger than 14 years old can file their asylum application on their own but it has to be submitted<sup>9</sup> by a legal representative. The provisions of the Aliens' Police Act (Art. 12), however, view children above the age of 16 years as capable of representing themselves during aliens' police procedures (entry procedures, detention, expulsion, removal etc.) which means that they do not necessarily have legal representation after the age of 16.

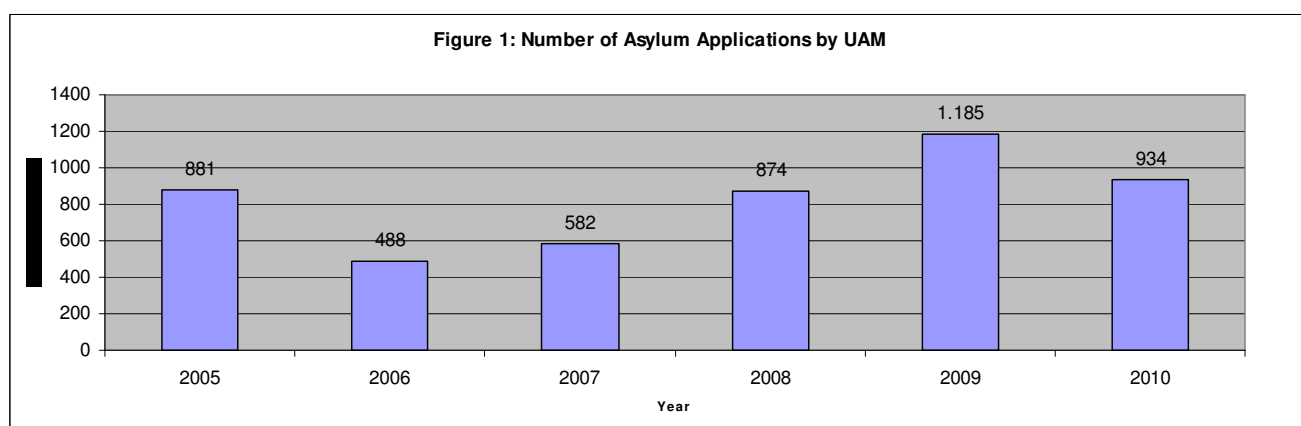
For this report, the Austrian national definition of an unaccompanied minor as "a foreign minor who is non-accompanied by an adult person responsible for the legal representation of the former" as set out in the Settlement and Residence Act applies.

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<sup>9</sup> An application for international protection is *filed* if a third country national in Austria makes a request for protection against persecution to an agent of the public security service (police) or to a security authority (police) or at an initial reception centre. An application for international protection is *submitted* if it is filed in person by the third country national at an initial reception centre. (para 17 of the Asylum Law (AsylG)).

### 1.3 Available data

The year 2005 was marked by a relatively high number of 881 unaccompanied minors seeking asylum in Austria, which has subsequently been followed since 2006 by a constant trend in the increase of asylum applications lodged by unaccompanied minors (Federal Ministry of the Interior, 2005:12). The years 2006 to 2009 show a steady rise in the numbers of unaccompanied minors applying for asylum in Austria, growing from 488 persons in 2006 to 1,185 persons in 2009 (Federal Ministry of the Interior, 2006:11; Federal Ministry of the Interior, 2009:11). This trend was interrupted in 2010 with a slight decrease to 934 asylum applications lodged by unaccompanied minors in Austria (Federal Ministry of the Interior, 2010:11).



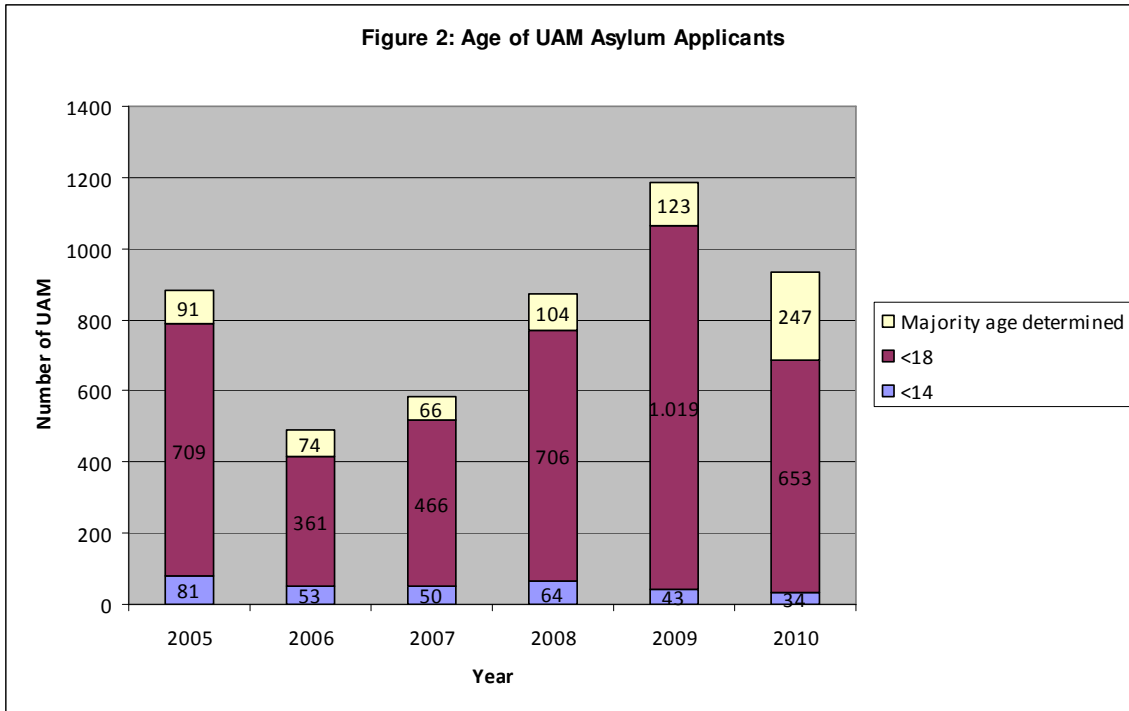
Source: Federal Ministry of the Interior, 2005-2010.

Throughout the last six years, the majority of unaccompanied minors who lodged an asylum application were between 14 and 18 years of age. In total, out of the 4,944 asylum applications lodged by unaccompanied minors between 2005 and 2010, 3,914 belonged to this age group. This corresponds to 79.2 per cent of all asylum applications by unaccompanied minors. With a total number of 325 applications and a percentage of 6.6 per cent by unaccompanied minors below the age of 14 years, the younger children form a much smaller group within the entire group of unaccompanied minors who lodged their asylum application between 2005 and 2010. In 705 cases or 14.3 per cent of all asylum applications lodged by unaccompanied minors, majority age was declared by the Austrian authorities (Federal Ministry of the Interior, 2005-2010).

**Table 1: Age of UAM lodging asylum applications between 2005-2010**

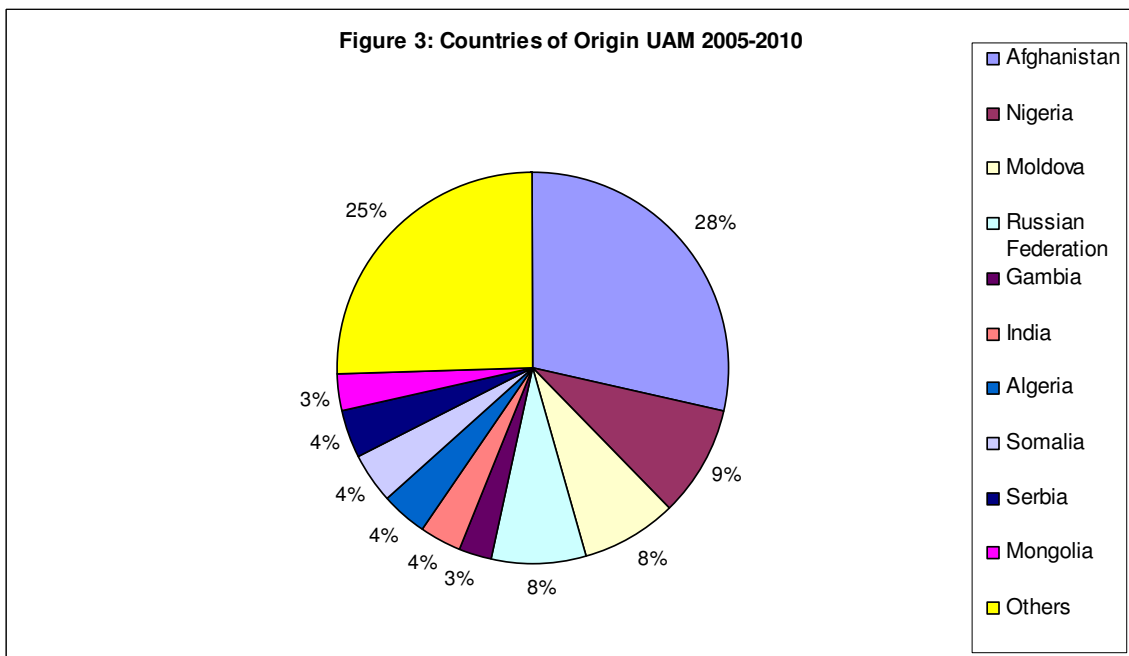
Asylum Applications by UAM 2005-2010	Age Group		Percentage of Applications	
	< 14		6.6%	
	14-18		79.2%	
	> 18		14.3%	

Source: Federal Ministry of the Interior, 2005-2010.



Source: Federal Ministry of the Interior, 2005-2010.

During the period of 2005 to 2010, the main countries of origin of unaccompanied minors seeking asylum in Austria were Afghanistan (1209), Nigeria (388), Moldova (332) and the Russian Federation (326) followed by Somalia (179), Algeria (164), Serbia<sup>10</sup> (160), India (151), Mongolia (124), Gambia (118) and Morocco (105).



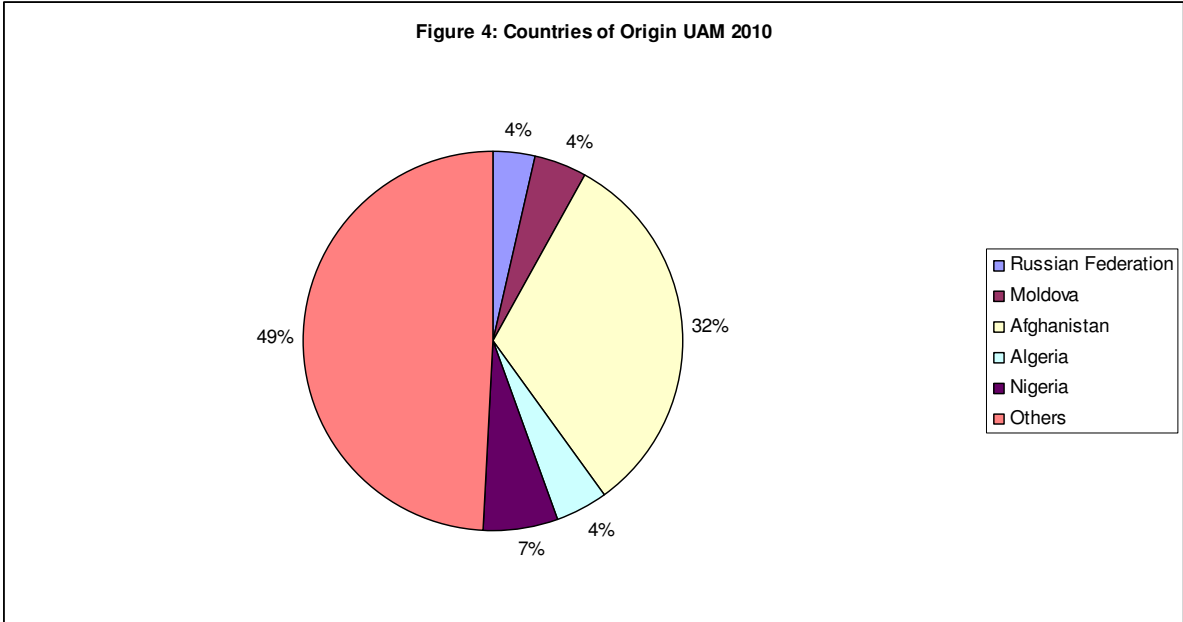
Source: Federal Ministry of the Interior, 2005-2010.

<sup>10</sup> Since 2008 Kosovo (UNSC resolution 1244-administered Kosovo) excluded. From 2008 to 2010, 75 asylum applications were lodged by unaccompanied minors from Kosovo.

These figures illustrate that most unaccompanied minors in Austria come from Afghanistan. From 2005 (93) to 2006 (46), Afghanistan’s figures did not differ much from other important countries of origin, namely Moldova (2005: 70; 2006: 22), Nigeria (2005: 74; 2006: 40) and the Russian Federation (2005: 74; 2006: 56). However, between 2007 and 2009, the figures of unaccompanied minors from Afghanistan (2007: 100; 2008: 242; 2009: 431) have risen significantly compared with the figures of unaccompanied minors from Moldova (2007: 66; 2008: 72; 2009: 60), Nigeria (2007: 29; 2008: 65; 2009: 118) and the Russian Federation (2007: 43; 2008: 57; 2009: 62), which have remained rather stable.

Interestingly, the trend in Afghanistan’s figures was interrupted in 2010 with a decrease to 297 applications lodged by unaccompanied minors from Afghanistan. Only figures representing unaccompanied minors from India and Somalia changed significantly over time. While India was a numerically more important country of origin in 2005 (64), the figures decreased steadily between 2006 (22) and 2010 (15). On the contrary, asylum was lodged by unaccompanied minors from Somalia more often during the years 2007 (49) to 2009 (39) than during 2005 (9), 2006 (13) and 2010 (16). The figures from the other countries of origin referred to in the previous paragraph and illustrated in the graph did not fluctuate significantly between 2005 and 2010 (Federal Ministry of the Interior, 2005-2010).

In 2010, the most important countries of origin of unaccompanied minors seeking asylum in Austria were Afghanistan (297), Nigeria (62), Moldova (42), Algeria (41) and the Russian Federation (34).



Source: Federal Ministry of the Interior, 2010.

## 2 Policy and legal framework on unaccompanied minors in Austria

The most important provisions for unaccompanied minors seeking asylum in Austria are set in the Asylum Act, the Basic Welfare Support Agreement, the Federal Basic Welfare Support Act and the Basic Welfare Support Acts of the provinces. Further provisions for the treatment of unaccompanied minors can be found in the Youth Welfare Act and the Youth Welfare Acts of the provinces. More general provisions are contained in the Austrian Civil Code.

Art. 178a of the Austrian Civil Code stipulates that a child's personality and needs have to be taken into account in the assessment of the child's well-being. According to Art. 7 of the Basic Welfare Support Agreement, services provided to unaccompanied minors go beyond those for adults, e.g. unaccompanied minors shall be assisted through initial clarification after their arrival in addition to stabilization measures to strengthen their emotional state and create a basis of trust. Social education and psychological support should also be provided if required and the accommodation should meet certain standards like shared accommodation groups (Wohngruppen), special accommodation centres (Wohnheime), supervised accommodations (betreutes Wohnen) or individual accommodation, where suitably organized lodging is given.

According to Art. 7 (3) of the Basic Welfare Support Agreement, the care of unaccompanied minors includes the following:

- Structuring a daily routine (education, leisure time, sport, group and individual activities, household tasks) suited to their needs
- Dealing with questions relating to the age, identity, origin and residence of family members
- Arranging for family reunification where appropriate
- Formulating, where applicable, an integration plan and measures for the organization of educational, training and vocational preparation activities, exploiting existing offers, with the aim of achieving self-sufficiency.

While the legislation and implementation of asylum policies are within the responsibility of the Federal State, the competencies with regard to the basic welfare support for asylum seekers (Art. 15a Federal Constitution) and youth welfare (Art. 12 Federal Constitution) are shared between the Federal State and the nine federal provinces that Austria consists of. The Youth Welfare Authorities are established regionally at the municipalities (Magistrate) and district commissions (Bezirkshauptmannschaften).

The Basic Welfare Support Agreement settles the distribution of the competencies between the federal and provincial levels and lays down the benefits which have to be provided by the parties. These regulations have to be transposed in federal and provincial legislation. Asylum seekers can claim their rights based on these.

The Asylum Act mainly regulates the admission to and the course of the asylum procedure and, additionally, also defines certain provisions regarding integration, return and legal assistance – especially referring to the provision of legal assistance for unaccompanied minors in Art. 64 para 5.

The Basic Welfare Support Agreement (Art. 7, 9), the Federal Basic Welfare Support Act (Art. 2 para 2) and the Basic Welfare Support Acts of the provinces (e.g. Art. 6 para 2 Salzburg Basic Welfare Support Act) define special provisions which explicitly take into account the situation of unaccompanied minors, namely being of minor age and residing in Austria without a suitable adult

responsible for their care. They mainly regulate the scope of the care for the children, such as provisions for reception arrangements, guidelines on the placement for this group of migrant children as well as the maximum cost rates and the division of the responsibility and financial costs which are shared between the federal and provincial levels. Besides the Basic Welfare Support Acts it is the Youth Welfare Acts that also have to be consulted when it comes to the care of (former) unaccompanied minors.

The legislation in Austria differentiates considerably between unaccompanied minors and adult asylum seekers. However, when an unaccompanied minor reaches majority age, they are no longer differentiated from asylum seekers who filed their asylum application as adults. Some paragraphs solely apply to unaccompanied minors; for example, the Basic Welfare Support Agreement Art. 7 and parts of Art. 9 do not apply to former unaccompanied minors who have reached majority age. However, Art. 31 para 4 of the Youth Welfare Act stipulates that care by Youth Welfare Authorities for minors who have reached majority age can be extended for an additional period of time (Art. 31 para 4 Youth Welfare Act 1989) if the young adult agrees and if the prolongation of these provisions enhances previous efforts in this regard.

The main actors concerning policies on the reception and care of unaccompanied minors are, as previously mentioned, the federal and provincial governments. The Federal State is responsible for the care of unaccompanied minors when they arrive in Austria and during their stay in the Initial Reception Centre (Erstaufnahmestelle) in Traiskirchen<sup>11</sup>. When an unaccompanied minor enters the actual asylum procedure, a coordination authority assigns the unaccompanied minor to a federal province (Art. 3 para 2 Basic Welfare Support Agreement) which is then in charge of the care provisions (Art. 4 para 1 Basic Welfare Support Agreement).

As foreign unaccompanied minors are to be treated like Austrian unaccompanied minors as stipulated in the Youth Welfare Act, the Youth Welfare Authorities are mainly responsible for their care being in charge of issues such as accommodation and guardianship, which shall ensure the children's well-being. Both the Federal State and the provinces can outsource certain tasks to NGOs in order to ensure the provisions. Accommodation and care, for example, is currently provided by institutions such as Caritas, Diakonie, SOS Children's Villages and others.

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<sup>11</sup> During the admission procedure, all unaccompanied asylum-seeking minors over the age of 14 years are placed in the Initial Reception Centre Traiskirchen. Only upon admission to the actual asylum procedure are they transferred to provincial accommodation facilities. Unaccompanied asylum-seeking minors under the age of 14 years are accommodated in special care facilities of the Youth Welfare Authorities.

### 3 Case Studies

This chapter presents two case studies where the overall situation, worries and hopes of a young adult and an adolescent view their life in Austria being (former) unaccompanied minors.

#### 3.1 Case Study 1: Former Unaccompanied Minor

Sandra<sup>12</sup> is from Central Asia and has been in Austria for two years. She arrived at the age of 16, and is now a former unaccompanied minor seeking for asylum, aged 18. Last summer, she received a negative decision in 1<sup>st</sup> instance and is now, after having filed an appeal, waiting to see whether or not her application for international protection will be successful.

Sandra's interview at the Initial Reception Centre was conducted without a break for 3-4 hours. During this interview she felt very tired and argued with her interpreter. When she received the negative decision in 1<sup>st</sup> instance, she was disappointed and sad: *"They said I did not integrate well [into the host society]. [...] I really wanted to have a positive notification."*

Sandra was allocated to an accommodation facility for unaccompanied asylum-seeking minors in the Federal Province of Lower Austria. Although she has already turned 18 years old in the meantime, she is still allowed to stay in this facility as she is still enrolled at school. She likes her facility and refers to it as a 'paradise' in comparison with other accommodation facilities she heard of. Sandra particularly appreciates her care workers, which, besides providing support 24 hours a day, also organize excursions for her and the other accommodated minors. However, she would like to move out and find herself an own accommodation: *"Everyone is always so loud here, they agitate me, and this is why it would be good to move out. [...] We have troubles so often."*

At the beginning of her stay Sandra went to a special school for pupils with special needs, and successfully completed the polytechnic school afterwards. She continued schooling and was enrolled in a 'Höhere Bundeslehranstalt' (HBLA) where she is currently in the 2<sup>nd</sup> year. *"My school is really great",* Sandra says, *"I like my teacher, she is amazing, and my classmates are nice as well."* Sandra's favorite subjects are maths and sports, and she particularly enjoys playing volleyball and basketball. She is very good in maths and is proud of her achievements. In her school, most students are Austrians, and Sandra's classmates are very curious about her culture and customs in Central Asia.

In her leisure time, Sandra likes playing volleyball in a sports club which she found on her own initiative. There she is part of a women's team and is allowed to participate for free because she made a special arrangement with her trainer. Talking of her team, Sandra says: *"Those people are so incredibly nice! It is so great! I am at home!"* Besides doing sports, she volunteers at the Red Cross in her leisure time where she helps collecting and handing out food to persons in need. She also likes going to the church in a neighboring town, where she feels very welcome.

Sandra does not want to attract attention because she looks different, but she does. Talking about this experience she says: *"People see someone different in me, that was so hard for me. [...] I also feel alone sometimes, different from others. [...] Sometimes I don't feel being like you [someone from the host society]. And that is hard. [...] I am afraid to say that I am a refugee. I am afraid that people will say 'you are nothing'."*

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<sup>12</sup> Name changed and precise country of origin as well as locations omitted to protect anonymity.

Sandra appreciates living in Austria. Besides the food, she likes the weather and the possibility to go skiing. She has also taken to the people living in Austria: *"I feel so full, I feel the love here. The people, they love me a lot."* Sandra has already made many friends in Austria. Besides her best friend, an Austrian girl living in the same city, she has a boyfriend who she met at the sports club. They go out together, go to parties, and Sandra has been introduced to his friends. At the beginning, Sandra was afraid of telling him her previous life story because she was afraid of his reaction, worrying that he could leave her knowing that she is an asylum seeker and can be deported anytime. Talking about this experience, she said: *"I told him: 'My parents died 10 years ago, I fled, I have no money'. And he said to me that I am doing well. [But] he does not know that I have no positive notification [about my legal status] and I will not tell him."*

Exercising her original cultural background is not that important to Sandra. She also tries to avoid having contact to people coming from the same country of origin, mainly because they always talk about her and annoy her. She says: *"They are so jealous of me."* Sandra still has a sister living in Central Asia, but their tie is broken. When talking about her, Sandra said: *"I don't want any contact; I am content that I am alone, I have a great family here."*

When she turned 18, Sandra celebrated her birthday with her 'godparents' from the project *connecting people*. As a present, she received a MP3-Player from her 'Mummy', her 'godmother'. Sandra says: *"When I say mummy or say daddy, I feel so full. For a long time I have not said this."*

Sandra worries a lot about her current status as asylum seeker. Talking about her situation, she says: *"I really don't understand that, the thing with my status. It takes so much time to get a positive notification. At first they said that I have a chance of 99 percent to get a positive notification. They just make me wrong, needless hopes. [...] I want to be like all the other kids. Yes, I know that I have no family, that I am a refugee. But I just want to advance myself, I just want that positive notification. It is so needless and unfair [...]."*

Sandra will have to leave the accommodation facility for unaccompanied minors in a few months. She might live with her best friend's family, but her future accommodation is currently uncertain. When talking about changes after leaving the accommodation facility, Sandra says: *"I cannot continue school. I don't find an accommodation, there is too little money. Must go to school, eat, that is not possible. Oh God. And I am also not allowed to work. And I also don't know if I can do an internship for school. My 'Paten' want to go to Germany or Italy with me, but I am not allowed. I absolutely need this positive notification."*

In the near future, Sandra wants to continue school education and would like to study social work at a college of higher education in Salzburg. She would also like to work in order to be independent and to stand on her own feet. *"If you want money it is not so important which work you do. But later I want to have a job which I really like"*, she thinks. Talking of her future Sandra says: *"My future is still unsure. I cannot plan my future. I also wanted to get a driver's license. Almost everybody did that, my best friend too."*



## 3.2 Case Study 2: Unaccompanied Minor

Ali<sup>13</sup> is from Afghanistan and has been in Austria for three years. He arrived at the age of 14, and is now an unaccompanied minor seeking asylum, aged 17, but will turn 18 years old in a short time. Ali has been granted subsidiary protection status and is now waiting for his residence permit to be extended.

At the beginning, Ali was allocated to an accommodation facility for unaccompanied asylum-seeking minors in Vienna where he shared his room with another male minor. He found it difficult to have a roommate as he was confronted with his roommates' friends, even though he did not like them. After a while, Ali moved to another accommodation facility in Vienna which he likes more, as he now lives in a single room and is able to study better for school. *"Here you can live in a normal way. [...] If someone bothers, you can tell him",* Ali says, *"the living situation is okay, but it is not that okay without family."*

Ali's family is currently living in Pakistan. He keeps contact with them via telephone. *"The living situation is a catastrophe there. [...] You hear sad things",* he says. Ali worries about his family and would like to bring them to Austria, but does not know how to arrange their reunification. Moreover, he is under considerable time strain as he is only allowed to bring his family to Austria as long as he is underage.

For more than two years now, Ali has received support from a 'godmother'. She particularly helps him to overcome learning difficulties and is also spending free time with Ali. Talking about her, Ali says: *"That is no 'Patin'. She is my mother."*

In addition, Ali has made friends both with people from Afghanistan and Austria. He has an Austrian girlfriend as well, who he got to know in the subway.

In his leisure time, Ali likes going to the gym regularly. It is his 'godmother' who makes his workout possible, as she pays for his membership card. Talking about the amount of money available for leisure time activities, Ali says: *"I receive 40 Euro per month. [...] If this is not enough, what can I do? I have to get along with it."*

At the moment, Ali is aiming to achieve a 'Hauptschulabschluss' and will then further plan his future. However, he would like to continue learning and start working as an electrician or a plumber afterwards. *"You have to have a vocation, after this you can work",* he says. For Ali, who did not regularly attend school in Afghanistan, school is important in order to both make friends with other adolescents and prepare for his future. In particular, he appreciates the possibility to learn English and to strengthen his language skills.

Ali does not know what to expect from the future after turning 18. He still does not know whether he will be allowed to stay in his current accommodation facility or will be compelled to move out. *"Many more things are bad than good!",* Ali says and particularly referred to the strain of being separated from his family. *"Family is the most important thing in life, everything else you can find."*

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<sup>13</sup> Name changed and locations omitted to protect anonymity.

## 4 Key Fields

This chapter covers key fields that significantly shape the lives of unaccompanied minors in Austria. It includes the following topics: the asylum procedure, guardianship, family tracing and reunification, accommodation, culture and religion, education and language, employment, leisure time, interaction with and integration into the host society, integration into the 'ethnic community', social orientation and training, support and resources and plans for the future<sup>14</sup>. It provides information on both the legal frameworks regulating these issues and the daily practice as well as challenges arising thereof. The chapter is split into four main sections: assistance in the asylum procedure, assistance in daily life matters, assistance in integration and plans of (former) unaccompanied minors for the future.

### 4.1 Assistance in the Asylum Procedure

This section provides information on the asylum procedure, guardianship and family tracing and reunification.

#### 4.1.1 Asylum Procedure

##### ***Provisions for the asylum procedure***

The Austrian asylum procedure is divided into two phases. Phase one corresponds to an admission procedure where the competence of Austria is clarified (e.g. with regard to the Dublin II Regulation, the principle of protection in a safe third country). Phase two is the actual asylum procedure where it is assessed whether the asylum applicant shall be granted asylum according to the Geneva Convention on Refugees, or a subsidiary protection status in Austria (EMN, 2009:26).

The first instance authority for asylum applications is the Federal Asylum Agency (Bundesasylamt) while the Asylum Court (Asylgerichtshof) acts as second instance. The possibility to appeal to the Administrative High Court (*Verwaltungsgerichtshof*) as a third instance was abolished on 1<sup>st</sup> July 2008 (EMN, 2009:26), whereas an appeal to the Constitutional Court (Verfassungsgerichtshof) is still possible when constitutionally guaranteed rights were violated.

Unaccompanied minors can file an application for asylum regardless of their age. However, only minors over the age of 14 years can submit their application in person<sup>15</sup>. With the submission they are assigned a legal adviser by law who is in charge of their legal representation (Art. 16 para 3 Asylum Act). In case of 'underage minors' – which, in Austria, are children under the age of 14 years – application for asylum has to be filed by a legal advisor at the Initial Reception Centre Traiskirchen who, in general, are in charge of the legal representation of unaccompanied minors from the moment the latter arrive at the centre (Art. 16 para 5 Asylum Act). When an unaccompanied minor is admitted to the actual asylum procedure and, in succession, transferred to an accommodation facility in one of the Austrian's provinces, it is the regionally competent Youth Welfare Authority which is in charge of the legal representation of the minor (EMN, 2009:26). In some of the federal provinces of Austria, e.g. in Styria, Salzburg and Vorarlberg and partly also in Lower Austria and Tyrol,

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<sup>14</sup> The issue of health care was not covered in the framework of this project. Further information on this subject is available in Fronek (2010).

<sup>15</sup> An application for international protection is *filed* if a third country national in Austria makes a request for protection against persecution to an agent of the public security service (police) or to a security authority (police) or at an initial reception centre. An application for international protection is *submitted* if it is filed in person by the third country national at an initial reception centre. (para. 17 of the Asylum Law (AsylG)).

legal representation is outsourced to NGOs whereas in Vienna and Upper Austria, it is directly implemented by the Youth Welfare (Fronek, 2010:89).

### **Legal status**

Many of the unaccompanied minors who participated in the study at hand – mostly from Afghanistan – reported that they had received **subsidiary protection status**. Some of them expressed that they were happy about that, while others explained that they still feel insecure and fear that they will have to leave Austria in the future. Another aspect which is perceived as disadvantage with regard to subsidiary protection status by many of the respective adolescents and young adults is the fact that it is not allowed to leave the country and travel to other places. One young adult stated: *“I can work but I cannot travel. That is like a big prison for me.”*<sup>16</sup> Respondents with relatives in other EU countries or respondents who wanted to visit their ‘diasporic community’ in another country, which may be bigger than the respective community in Austria, specifically mentioned this point.

Those who had received a **negative asylum decision** reported feeling anxious and not being able to concentrate at school or having physical afflictions: *“I received a negative. [...] Now I always have heavy headaches, but I don’t know where it comes from. I went to the doctor but he couldn’t find anything.”*<sup>17</sup> Correspondingly, when asked about the worst aspect of his situation of being an unaccompanied asylum-seeking minor in Austria, a respondent said: *“The insecurity. I received a negative decision and don’t know what will happen next.”*<sup>18</sup> Stating the fear of being deported more explicitly, one young adult with a negative decision reported: *“Maybe they will take me tomorrow, maybe this night and I will be brought back to my country of origin.”*<sup>19</sup> One adolescent mentioned that after having received a negative decision, she was hospitalized in a psychiatric hospital because she had stopped eating for three weeks and started being suicidal: *“I did not know what I should live for.”*<sup>20</sup> In addition, some (former) unaccompanied minors also said that they tried to ‘forget’ the asylum procedure in order to be able to carry on: *“I try not to think about it.”*<sup>21</sup>

Some of the minors and young adults had received a **positive asylum decision** and declared that this fact had changed their life in a very positive way. Likewise, one adolescent who received asylum reported:

I received a positive decision. It was great when I got it. I received a letter and at the beginning, I was afraid because I didn’t know what it said. I slept badly. I had a test the next day and could not study at all. I was afraid. My friend then read the letter and said that I had received a positive decision. I couldn’t believe it. When I realized it, I was happy. This has changed my life.<sup>22</sup>

In general, receiving asylum is one if not *the* dream of many (former) unaccompanied minors, as expressed by one adolescent with the following words: *“The asylum procedure is the most important thing for me. I want to get asylum in Austria. After that, also school is important.”* In order to explain the significance of a positive decision in the asylum procedure, another respondent stated: *“Only if you get a positive decision, is a normal life possible.”*<sup>23</sup>

### **Asylum procedures**

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<sup>16</sup> AT F/UAMAS

<sup>17</sup> AT UAMAS 9

<sup>18</sup> AT F/UAMAS 8

<sup>19</sup> AT F/UAMAS 8

<sup>20</sup> AT UAMAS 11

<sup>21</sup> AT F/UAMAS 7

<sup>22</sup> AT F/UAMAS 6

<sup>23</sup> AT UAMAS 11

Many of the adolescents and young adults spoken with in the framework of this study mentioned the **duration of the asylum procedure** as one of the main challenges they are confronted with in the situation of being an asylum seeker in Austria. The **admission procedure** can take up to several weeks and in 2009, unaccompanied minors stayed in the Initial Reception Centre for two months on average (EMN, 2009:35). Given the fact that during this period, the asylum seekers do not know whether they will be granted permission to the actual asylum procedure or whether they will have to leave Austria and, for example be re-transferred to another EU Member State, Fronek (2010:52) considers this timeframe to be too long. As to the **actual asylum procedure**, it can take up to several years until a final decision on the application for asylum is taken due to limited human resources and backlogs in the processing of applications resulting thereof, among other reasons (Fronek, 2010:90). As stated by the interviewees, this time of waiting is characterized by insecurity, uncertainty and fear and entails feelings of being severely burdened. First and foremost, this is the fact because the asylum applicants do not know whether they will finally be granted asylum or not: *“That’s what I am wondering, it’s killing me. With studying and at school I am okay, but I don’t know if I will be allowed to stay here”*<sup>24</sup> or, as put into words by a legal advisor for unaccompanied minors: *“What bothers them most is the uncertainty.”*<sup>25</sup> Two professionals from an accommodation facility for unaccompanied minors (AT CSO 11, AT CSO 12) explained in an interview that adolescents and young adults who have been waiting for a decision for years show signs of resignation and frustration.

The entire procedure of seeking asylum creates **confusion** among (former) unaccompanied minors, as stressed by a legal advisor for unaccompanied minors at the Initial Reception Centre Traiskirchen: *“The procedure is very difficult to comprehend. [...] The strict course of Austrian daily life is difficult to understand, and all the more it is difficult to understand the strict course of an Austrian procedure.”*<sup>26</sup> This is confirmed by the statements of several interviewed (former) unaccompanied minors who declared that they did not know how the asylum procedure and related aspects worked, with one adolescent saying: *“Nobody told me about it and how it is going.”* Notably, one respondent mentioned that she knew how the asylum procedure worked because of the information she had received from her legal advisor.

One legal advisor interviewed for the purpose of this study explained that **information about the asylum procedure** is usually provided personally by legal advisors as well as by leaflets both at the very beginning of the first interview at the Initial Reception Centre and during procedures. However, as the professional stressed, these documents only exist in five languages and are not comprehensible to all of the minors. In addition, she reported that there are illiterate adolescents who cannot understand the leaflets at all. As a result, many of them try to seek information from non-professionals such as other asylum applicants who, in many cases, cannot provide correct information (FRA, 2010b:97). This was also reported by the consulted legal advisor who said: *“Unfortunately, wrong information spreads quite quickly among the unaccompanied minors. This often makes them to arrive prematurely at wrong decisions.”*<sup>27</sup>

### ***Interviews in admission and asylum procedure***

The timing in which the first interview takes place in the context of the admission procedure to the actual asylum procedure was negatively assessed both by (former) unaccompanied minors and professionals. According to Fronek (2010:52), it is usually scheduled within the first 72 hours after

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<sup>24</sup> AT UAMAS 13

<sup>25</sup> AT CSO 13

<sup>26</sup> AT CSO 13

<sup>27</sup> AT CSO 13

arrival of an unaccompanied minor at the Initial Reception Centre, a moment which he considers too early for allowing the minors to 'arrive' psychologically and to process the experiences of their migration process. Similarly, an adolescent explained: *"You are so confused when you arrive. I could not really think and in addition, I was sick."*<sup>28</sup>

Shortcomings were also reported in the interviews within the framework of the asylum procedure with regard to the **content of the interviews**. Being repeatedly asked about issues such as the reasons for the flight of the respective minor or the situation of his/her parents or other family members which can constitute very sensitive topics and cause disturbances in the emotional status of the adolescents, can be a draining experience for unaccompanied minors. Correspondingly, one adolescent said for example: *"It is not good to remember the past. And then you have to remember it. I can't sleep. I am taking pills. And sometimes I miss home."*<sup>29</sup>

As to the implementation of the interviews in the framework of the asylum procedure, many respondents, both (former) unaccompanied minors and professionals, said that an **atmosphere of mistrust** characterized the course of the encounter between the respective officials and the adolescents. More precisely, the (former) unaccompanied minors shared the impression that their testimony was not believed, with one young adult stating: *"The worst thing is that they always say 'you lie, you lie'."*<sup>30</sup> Having literally been attested a lack of credibility, another interviewee reported:

They told me that I was not credible. [...] Where I come from, there are no addresses and the interviewers have asked me for the addresses. I told them that I did not know my address, and that's why they did not find me credible. They have also asked me for my school. I should have drawn them the way to my school. But it was the easiest to get there by car, hitch-hiking. The school was quite far away. I did not know how to call that. I called it taxi. The interviewer didn't find it credible that someone takes a taxi every day to get to school.<sup>31</sup>

Another respondent mentioned: *"I had the feeling that they did not believe me. I would have had to attest that I have problems, but there are problems which you can't prove with documents."*<sup>32</sup> As indicated by an interviewed legal advisor, source documents are sometimes not considered to be an adequate proof either: *"Original documents, e.g. birth certificates of unaccompanied minors are often not used as sufficient means of evidence."*<sup>33</sup> In general, a lack of trust towards what the (former) unaccompanied minors claim during the interviews results in negative feelings like frustration and stress: *"The first interview was not good. Four persons asked me what I was doing here. I told them that I am 14 but they didn't believe me and said that I had to be 17. I was completely stressed."*<sup>34</sup>

Many of the (former) unaccompanied minors who were interviewed for the study at hand stressed that the **quality of interpretation** was not satisfying, either referring to a different dialect or language spoken by the interpreter or to translation errors. One respondent said for example: *"The interpreters in Traiskirchen are not that good [...]. They come from Iran, Iraq. They speak similar languages as I do, but not the same. That once happened to a friend. His brother then tried to correct what the interpreter translated in a wrong way"*<sup>35</sup>, and another one mentioned: *"The interview was a*

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<sup>28</sup> AT UAMAS 6

<sup>29</sup> AT UAMAS 13

<sup>30</sup> AT F/UAMAS 2

<sup>31</sup> AT F/UAMAS 5

<sup>32</sup> AT UAMAS 11

<sup>33</sup> AT CSO 13

<sup>34</sup> AT UAMAS 1

<sup>35</sup> AT F/UAMAS 2

*bit difficult. I did not understand the interpreter very well, thus the interview was very bad [...]. The interpreter did not translate correctly, she made little mistakes.”*<sup>36</sup> Having been unhappy with the translation, one young adult tried to deal with the situation in a special way:

I answered all the questions by myself although I had only learnt German for one year. My mother tongue is Arabic, but in the asylum procedure, the interpreter was not good. He was from a different Arabic country [...]. And I didn't understand him. That's why I did all the talking more or less myself.<sup>37</sup>

### **Age Assessments**

Concerns were also voiced with regard to the age assessments which are carried out in order to prove that an asylum seeker who claims to be an unaccompanied minor is indeed below the age of 18 years old. Some of the respondents reported that they had to undergo the respective procedures. In this regard, different (former) unaccompanied minors expressed to be confused about the fact that they were not believed the age they indicated to have. One respondent said: *“I did not bring myself to this world. My mother brought me to this world. So this is what my parents told me. [...] I say my name. They believe me. I say I am Somali. They believe me. Why don't they believe me when I tell them my age?”*<sup>38</sup> For one boy, the age assessment was a particularly difficult experience: He reported to be 14 years of age only, but, due to differing results of the examination, the authorities registered him as 17 year old adolescent: *“I am 14, but they say I am 17, because I am tall.”*<sup>39</sup>

### **Turning 18**

In general, turning 18 was seen as a major problem by several of the interviewees in the context of the asylum procedure. They said that they were worried that with reaching majority age, the probability of receiving asylum and hence a permanent residence permit for Austria decreases. In addition, several professionals voiced concerns about the upcoming loss of legal representation: Unaccompanied minors are entitled to a legal representative, whereas the day they turn 18 and become adults, they can only be represented by a refugee adviser during their asylum procedure upon request (Art. 66 para 2 Asylum Act). As expressed by a coordinator from the NGO *asylkoordination österreich*, *“This is a cut in their lives that already has been filled with cuts”*<sup>40</sup>.

## **4.1.2 Guardianship**

### **Appointment of guardians**

The Austrian law does not provide an explicit regulation for the guardianship of unaccompanied minors. If no adult in charge of the care of the minor, such as a close relative, can be found, the Youth Welfare Authority is appointed as guardian by the courts (Art. 213 Civil Code). Some youth welfare authorities originally showed a reluctant attitude towards this regulation because of remarkable personnel and financial expenditures arising thereof (Fronek, 2010:134ff.), but since a Supreme Court (Oberster Gerichtshof) decision from 2005 youth welfare authorities have taken increasingly on this role for unaccompanied minors (Supreme Court, Case No. 7 Ob 209/05v, 19 October 2005 or Case No. 4Ob7/06t, 14 February 2006). The Youth Welfare Authorities have the right to delegate duties to third parties and to use existing structures within the framework of the Basic Welfare, e.g. external accommodation facilities. The overall responsibility, however, remains with the Youth Welfare Authority (Fronek, 2010:139). In theory, also foster parents can act as

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<sup>36</sup> AT UAMAS 10

<sup>37</sup> AT F/UAMAS 5

<sup>38</sup> AT UAMAS 13

<sup>39</sup> AT UAMAS 1

<sup>40</sup> AT CSO 5

guardians of unaccompanied minors (EMN, 2009:32), but as a professional (AT CSO 5) indicated in an interview, this only happens in very few cases and is to be seen as an exception. Sometimes family members like uncles or aunts take over the guardianship, while Austrian families become guardians only in rare cases; these may be people from the project *connecting people* who become adoptive parents and hence also the legal guardians of the respective minor.

In practice, most of the unaccompanied minors are assigned with a guardian after they have entered the asylum procedure. Only unaccompanied minors under the age of 14 years are provided with a guardian during the admission procedure. The duration of the allocation of guardianship differs from one federal province to another and mainly depends on the time when the District Court is informed about the arrival of an unaccompanied minor by the respective Youth Welfare Authorities and on the time when the latter takes a decision about the request for guardianship of a certain unaccompanied minor (Fronek, 2010:137-138). In practice, this varies between one day and several months after arrival of an unaccompanied minor at an accommodation facility. As observed by Fronek (2010:137), in one district of Lower Austria, for example, a decision is usually taken within one week whereas in the city of Salzburg, for example, it takes about one or two months until the respective Youth Welfare Authority is finally assigned as guardian of the unaccompanied minor in question. The FRA study (FRA, 2010b:72) also found these inconsistencies with regard to the time of the allocation of guardians of unaccompanied minors during the asylum procedure.

### ***Provisions of guardianship***

Generally speaking, the provisions of guardianship comprise care, education, property administration and legal representation in cases other than the asylum procedure (Art. 144 Civil Code). According to the case law of the Supreme Court of Austria, provisions of guardianship are more comprehensive than the services provided through the Basic Welfare Support for asylum seekers – especially as guardianship also includes the unfolding of the strengths of the minors, the fostering of their capabilities and the provision of education wherever possible. Notably, the Austrian Supreme Court also stressed that in this regard, differences between Austrian and foreign citizens may not be made and that guardianship is to be implemented in the same way as for Austrian children and adolescents (Austrian Supreme Court, 7 Ob 209/05v, 19 October 2005).

As described in the IOM “Manual of Best Practices and Recommendations” (IOM, 2010:170), **care** includes the maintenance of the physical well-being and health as well as direct supervision of unaccompanied minors, while **education** shall cover

the unfolding of the physical, intellectual, mental and ethical/moral strength, the fostering of the capabilities, and developmental possibilities of the child as well as its education in school and job.

**Property administration** means the development of savings plans, but, according to Fronek (2010:139), it is of less importance than the other duties due to the fact that most of the unaccompanied minors are impecunious.

The scope of **legal representation** includes consent in and approval of legally relevant actions of minors in the framework of the provisions of guardianship (Art. 154 et seq. Civil Code). Legal representation in the asylum procedure is regulated independently of the guardianship.<sup>41</sup>

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<sup>41</sup> According to Art. 211 Civil Code the Youth Welfare Authorities become guardians of a minor who was found in Austria and whose parents are unknown. Next to that Art. 16 Asylum Act stipulates that a minor’s legal representation is in the responsibility of the Youth Welfare Authorities in case the minor’s interests cannot be realized by a parent.

### ***Intensity and quality of guardianship***

The term **'guardianship'** is not familiar to many of the interviewed (former) unaccompanied minors and a lot of interviewees indicated that they have never had a guardian, making statements such as *"No, I don't have a guardian"*<sup>42</sup>. Nonetheless, it is more likely that they were simply not aware of having one rather than not having been provided with a guardian. This finding is strengthened by the FRA study (FRA, 2010a:33) on the one hand, which reveals that some unaccompanied minors do not know about the existence of the guardianship system, and Fronek (2010:137) on the other hand, who declares that the majority of all unaccompanied minors in Austria do receive a guardian.<sup>43</sup> In addition, when asked about the people they receive support from, unaccompanied minors in this study indirectly mentioned the person who acts as their guardian, among others. This shows that although the unaccompanied minors do not necessarily know what this professional is officially called, they are not necessarily ignorant of having a guardian.

The **profile of a guardian** described below or, more precisely, the tasks a legal guardian is responsible for, also creates confusion among the unaccompanied minors. Correspondingly, an adolescent who, according to his declarations, had not been appointed a legal guardian yet, said:

I am still young. You have a Betreuer. You have a mentor. But a mentor has five people. I am still looking for a guardian. [...] It can make my Asyl easier. You have someone who is responsible for you. Nobody gives me full information of guardianship. I don't have full information..<sup>44</sup>

When asked how he would like his guardian to be, the respondent pointed out that he imagined a guardian a bit like a family member and said: *"to represent like a family."*<sup>45</sup>

The adolescents spoken with in the framework of this study reported that they had little contact with their guardians, with one respondent saying: *"Until now, nobody has come yet to talk to me."*<sup>46</sup> Some of the interviewed unaccompanied minors who chose to speak about guardianship stated that they met with their guardian approximately once a year – a frequency of interaction which is not perceived as sufficient by most of them: *"We do not meet regularly. It would be better to have more contact."*<sup>47</sup> Also according to the FRA (2010b:2), many of their interviewees articulated a wish for having frequent contact and a more personal relationship with their guardians. However, as some of the minors stated, they contact their guardian via email and ask for a personal meeting if they have any inquiry, indicating that they saw an opportunity to take the initiative when they were in need of support: *"I don't remember my guardian [...]. We still meet, but very few times. If I need something, I call. But that happens seldom. We see each other approximately once a year."*<sup>48</sup> In general, it appears that the intensity and quality of guardianship vary: Depending on the federal state and the specific region where an adolescent lives in, the frequency of contact between the unaccompanied minor and his or her guardian can vary significantly. As a rule, Fronek (2010:139ff.) states that they usually meet only once, in order to clarify whether the adolescent agrees to have the respective professional as guardian. In general, he perceives the implementation of guardianship in daily practice as

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<sup>42</sup> AT UAMAS 9

<sup>43</sup> In order to contribute to reducing this lack of information, IOM has recently launched the one hour fictional movie 'My name is' which depicts six different characters and demonstrates, among others, the rights unaccompanied asylum-seeking minors have with regard to guardianship. Its main target audience are unaccompanied minors residing in the European Union.

<sup>44</sup> ATUAMAS 13

<sup>45</sup> AT UAMAS 13

<sup>46</sup> AT UAMAS 10

<sup>47</sup> AT UAMAS 8

<sup>48</sup> AT F/UAMAS 6



insufficient, referring to both scarce individual meetings and limited personal attendance on part of the guardian towards the minor he or she is responsible for.

There are also cases in some federal provinces of Austria, such as Carinthia, where unaccompanied minors are never allocated a guardian, a shortcoming which is strongly related to the placing of unaccompanied minors in guesthouses (see chapter 4.2.1 for further information on accommodation) where the landlords are not aware of the right of the unaccompanied minors to have a guardian:

The problem is that sometimes no one addresses this. NGOs are already sensitized to a certain degree that it is simply part and parcel for custody to be regulated. They know that there is an OGH decision on this issue and that the courts are thus also informed and have found a mode to collectively deal with the Youth Welfare. But this does not always happen in the guesthouses – they take the adolescents in and offer them a certain programme, but don't attend to anything else.<sup>49</sup>

The expert further adds that complaints regarding missing guardians for unaccompanied asylum-seeking minors may be forwarded by anyone to the respective District Court, which has to go into the matter:

Well, it is actually trivial. Basically, you only need to inform the court that there are adolescents without a legal guardian and the court is obliged to follow it up. Everybody – [including the unaccompanied minors themselves, note of the author] – can inform the court.<sup>50</sup>

### **Turning 18**

Turning 18 means legal independence and therefore also the loss of guardianship provision (Art. 172 Civil Code). Many of the respondents who had already turned 18 years of age said that losing their legal guardian with reaching majority age was not a problem for them: *“Yes, I had a guardian. He was a nice guy. He helped me. But it was not that difficult either when I didn't have him anymore.”*<sup>51</sup> At the same time, a lot of them indicated that they found it hard to manage daily life without the support systems they have had before and, in this context, also referred to guardianship. One young adult said: *“It is bad that I don't have him [the guardian] anymore. I am now all on my own. I sometimes met with him and he helped me.”*<sup>52</sup> Exceptions are sometimes made with unaccompanied minors who are still completing educational measures and whose guardianship provisions can – with the consent of the young adult concerned – be extended until the age of 21 as a maximum (Art. 31 para 4 Youth Welfare Act).

### **4.1.3 Family tracing and reunification**

#### **Family tracing**

Family tracing is implemented within the regular asylum procedure and, if necessary, also the aliens' procedure. In accordance with the Basic Welfare Support Agreement, special assistance, which falls into the competence of the respective care facilities and the Youth Welfare Authority, has to be offered to unaccompanied minors in their attempt to trace family members (Art. 7 para 3 (4) Basic Welfare Support Agreement). In this context, the Red Cross implements the so-called tracing service which includes advice, support with the search for family members as well as the clarification of financial perspectives upon potential reunifications (Red Cross, n.p.). As specified by the head of the tracing service (AT CSO 6) in an interview, advice is only provided to persons with refugee or

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<sup>49</sup> AT CSO 5

<sup>50</sup> AT CSO 5

<sup>51</sup> AT F/UAMAS 5

<sup>52</sup> AT F/UAMAS 4

subsidiary protection status, while support with the search for family members is accessible to all persons, regardless of their legal status in Austria.

Most of the interviewed (former) unaccompanied minors stated that they tried to stay in touch with their family members or, upon loss of contact, to trace them. In general, the respondents basically referred to two support mechanisms when describing how they tried to find their family.

Firstly, it turned out that different (former) unaccompanied minors drew on the support of **personal networks** within their own community. One adolescent for example explained that he had received information about the possible whereabouts of his father by acquaintances and said: *“I haven’t had contact to my family for 10 years. I don’t know where they are. But now I have heard that my father is in Pakistan.”*<sup>53</sup>

Secondly, some of them said that they were looking for their family through the **Red Cross’ tracing service**, with one interviewee stating: *“I am not in touch with my family. I am searching with the help of the Red Cross. My father is already dead, but I am looking for my mother”*<sup>54</sup> or another one saying: *“I do not have contact to my family in Afghanistan. Maybe they have left for Iran. I still have my mother, my father, my brother and my sister and the Red Cross is trying to trace them.”*<sup>55</sup> The concrete procedure was explained by the head of the tracing service:

The applicant comes to the Red Cross where he or she fills in a form, mostly together with a volunteer, and tries to reconstruct the flight. Then, the inquiry goes to the respective country where the parents could potentially be. We are in contact with the ICRC [International Committee of the Red Cross], the Red Cross and the Red Cross Associations. It works via these networks.<sup>56</sup>

Notably, several of the (former) unaccompanied minors who were interviewed for the purpose of this study appeared not to be aware of the tracing service of the Red Cross and did not know about the possibility to call on their specific services. According to the professionals, the tracing service is continuously advertised, in contrast to the counseling for reunification, which has become well-known since its initiation in 2007 and is now circularized via word of mouth.

In addition, **individuals such as ‘godparents’ from the *connecting people* project** were mentioned as important backup in the context of searching for one’s family. One young adult said: *“I have been looking for my family together with my Patin for a period of two or three months. Then we received a letter saying that the address we indicated was correct and that they were continuing to look for my family.”*<sup>57</sup> As derivable from this quote, the assistance of ‘godparents’ does in general not replace the support of the Red Cross but is rather to be seen as supplement in order not to undergo the procedure alone.

### ***Reluctancy towards family tracing***

As the primary research with (former) unaccompanied minors and professionals showed, the adolescents and young adults are sometimes reluctant to start tracing their family members. This can be attributed to different reasons.

In terms of **being afraid to admit that there are family members left**, the interviewees from the Red Cross referred to cases where asylum seekers are hesitant to approach their institution because of

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<sup>53</sup> AT UAMAS 5

<sup>54</sup> AT UAMAS 12

<sup>55</sup> AT UAMAS 6

<sup>56</sup> AT CSO 6

<sup>57</sup> AT F/UAMAS 1

dissenting information they provided in the first interview within the asylum procedure (see chapter 4.1.1 for further information on the asylum procedure):

We have noticed that many adolescents are very mistrustful. These first interviews sometimes take place too early – from the perspective of the authorities it is understandable, so that the story can be falsified as little as possible. But of course the people are very insecure and that equally applies to adults. They did not mention their family and said that they have passed away although they have not. They only thought that it would be better to say that. And then the person also has problems because one has lied in the asylum procedure. This is always very complicated.<sup>58</sup>

**Personal problems and difficult relationships** between the respective family members were mentioned as another motive not to look for relatives in single cases of (former) unaccompanied minors. Although they did not want to go into detail, some respondents explained that they had been maltreated, with one adolescent saying: *“I lost almost all of my family. I’ve got only my Daddy. And my Daddy used to beat me. You only have a father, no one else, and your father beats you.”*<sup>59</sup>

Thirdly, also the **fear of finding out that the beloved ones have already passed away** can prevent the (former) unaccompanied minors from tracing their family as the thought of maybe having a family somewhere is easier to bear than the knowledge about the complete loss. One young adult from Northern Africa for example referred to political upheavals in his country of origin and said: *“I prefer not to have contact [to my family], otherwise I would be even more worried, also because the times there are so hard right now. I am worried about my mother.”*<sup>60</sup> Receiving a notification about the death of the searched for family members indeed needs to be expected sometimes, as the professionals from the Red Cross confirmed.

### **Success of family tracing**

None of the interviewed (former) unaccompanied minors who indicated that they were trying to trace their family members had been successful, with one respondent stating for example: *“I don’t have contact to my family and to no one else in my country of origin. The Red Cross has been searching for them for one year, but they haven’t found anyone.”*<sup>61</sup> In general, it seems to be difficult to successfully trace one’s family members, as the FRA study (FRA, 2010a:39) illustrates: *“Overall, those children who had asked for family tracing were not happy with the outcome; in most cases, they reported that their families had not been traced.”* The success rate of family tracing in terms of providing a result which informs the applicants about the current residence of the searched for family members and their contact details is around 30% of all cases in Austria and strongly depends on the structures given on site, as reported by the head of the tracing service:

Afghanistan works quite well. There is the Red Crescent on site and the ICRC [International Committee of the Red Cross] and the delegates go by jeep to the respective places and talk to the people. If the people [the applicants of the family tracing] say ‘we last saw each other in Iran’ it does not work well, because in these cases, the relatives can be anywhere. Afghanistan and Pakistan work very well. [...] This is also because of the structures on site. It is very good if the ICRC is there. If there is only a national organisation, then the tracing service does not play such an important role.<sup>62</sup>

The professional moreover indicated that the probability to find one’s family members is higher in cases where accurate data like date of birth and the last residence of the family members concerned is available.

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<sup>58</sup> AT CSO 4, AT CSO 6

<sup>59</sup> AT UAMAS 13

<sup>60</sup> AT F/UAMAS 5

<sup>61</sup> AT F/UAMAS 5

<sup>62</sup> AT CSO 5

### **Family Reunification**

The provisions concerning family reunification differ depending on the legal status of the respective minor (EMN, 2009:38-40): Recognized refugees according to the Geneva Convention or a person with subsidiary protection in Austria can apply for family reunification (Art. 34 para 2 and para 3 Asylum Act). According to Art. 2 (1) (22) of the Asylum Act, parents, spouse, registered partner and minor children are considered family members.

As to the desired place of reunification, the (former) unaccompanied minors stated that they would want their family members to come to Austria. In contrast, being returned to their country of origin or another EU Member States is not perceived as an option by the minors. From a legal perspective, in the context of the admission procedure, the Dublin II Regulation regulates that the Member State in which a family member is regularly present is responsible for the asylum application, if that is in the best interest of the minor (Art. 6 Dublin II Regulation). In that case, the minor can be transferred to another Member State of the European Union. If a minor has been granted international protection in Austria and a family member applies for asylum in another European Union Member State after that, the Dublin II Regulation stipulates that the family member applying for asylum in another European Union Member State can be transferred to Austria (Art. 7 and 8 Dublin II Regulation). Several interviewed (former) unaccompanied minors, particularly those coming from regions affected by conflicts like Afghanistan or different countries in Northern and Eastern Africa, stressed that one of the most important reasons for wanting to be reunited with their families in Austria was that they were worried about the well-being of their family members, considering the living conditions in their country of origin and neighbouring countries, respectively. For instance, one adolescent from Afghanistan whose family had left for Pakistan said: *“The living situation there is a disaster. You hear a lot of sad things. Bombings happen regularly and life is very hard.”*<sup>63</sup>

In theory, as explained by an interviewee from the Austrian Red Cross, the **process of family reunifications** is initiated as follows:

At the Red Cross in Austria, the applicant fills out a form where all data is collected. [...] We explain how the procedure works. Then it begins at the respective Austrian diplomatic authority abroad where the parents apply for a visa for themselves and the siblings. Together with the documents from the embassy, the [applications] are then transferred to Austria and to the responsible field office, respectively. The Federal Asylum Agency reviews it and takes a positive or a negative decision. Then they send it back to the embassy where, if the decision was positive, the family can request a visa.<sup>64</sup>

However, as pointed out by the head of the tracing service, organizational obstacles in terms of limited numbers of diplomatic authorities abroad, considerable expenses for travel costs which result thereof and unclear responsibilities prevent a smooth execution of the application:

A minor in Austria cannot sponsor his family a flight from Afghanistan to Pakistan to go to the Austrian embassy. [...] It is particularly extreme in Africa where the Austrian diplomatic authorities have been reduced to about five. But it is necessary to file the application at the Austrian embassy – it is not possible to go to another Schengen country. Also, it is a juggling of responsibilities. The authorities have found a way so that no one is really responsible for the entire thing.<sup>65</sup>

In sum, the process of family reunification was described by the interviewees from the Red Cross as long-winded, laborious and sometimes also intransparent due to the many actors involved.

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<sup>63</sup> AT UAMAS 8

<sup>64</sup> AT CSO 7

<sup>65</sup> AT CSO 6

Insufficient **legal protection for the applicants of family reunification** and, more precisely, the family members who still reside outside of Austria, appears to be another major difficulty in the context of family reunifications:

The big problem of family reunifications is that they do not have any legal protection. The family members do not apply for asylum [at the embassy], they apply for entry. That's it. The embassy has to respect the notification of the Federal Asylum Office, if the granting of asylum is likely or not. But the applicants do not have the possibility to do something against this notification from a legal perspective. If my application for visa is rejected, then my only chance is to send an appeal to the [Austrian] Administrative High Court or the [Austrian] Constitutional Court from abroad.<sup>66</sup>

This, however, usually fails in practice by reasons of related costs, distance and the obligation to be represented by a lawyer.

**Costs arising from (the preparation of) family reunifications** were mentioned as one obstacle in the context of family reunifications by the consulted professionals. As stipulated by law, the Austrian authorities can request accredited documents, DNA-analyses and age assessments in order to prove that the family members in question are indeed eligible for reunification. If the results are in line with the indications of the applicants, the costs for the DNA-analyses have to be refunded by the Federal Asylum Agency or the Asylum Court (Art. 18 para 2 Asylum Act). If the DNA test does not prove the indicated family ties, the applicants have to cover the costs. The professionals from the Red Cross estimated that the necessary means in sum usually add up to several thousands of Euros per person, considering that some families might have resided at a place other than their country of origin before actually leaving for family reunification:

The flights have to be paid by them and the costs for the DNA analysis can be reimbursed if the analysis was positive. In addition, the costs for the permit for departure. In many countries, before receiving the permit for departure, the people have to pay a fine if they have been residing illegally. [...] It depends on the size of the family, but per person thousands of Euros. For the DNA analysis, they need at least 400 Euros to test two persons. Usually, the families pay at least 750 Euros for the DNA tests. For the flights [they pay] approximately 2500 Euros and if they have been living in Pakistan for three, four months, [they pay] per person per month an additional 100 to 150 Euros.<sup>67</sup>

When asked how the persons concerned raise these funds, the interview partners responsible for the tracing service at the Red Cross mentioned that this was unclear in many cases, with highlighting both personal networks of the families and financial support offered by the Red Cross as general backups:

We don't know it. Somehow the people deploy it. It depends on the community, how anchored it is. We also take over part of the costs in special cases of hardship. A minor in general is a case of particular hardship for us, unless there is a financially strong 'Pate' behind. [...] But the family usually expects that it will be paid from Europe. But we have already had Egyptians who sold their house.<sup>68</sup>

The **duration of family reunifications** was mentioned as another challenge in the context of reunifying a family. According to the professionals from the Red Cross, such a process approximately lasts between six and 18 months, although reunifications including unaccompanied minors tend to take longer. Taking into account that unaccompanied minors only have the right to have their parents and minor siblings come to Austria as long as they have not reached majority age, it is often a race against time. Lengthy verifications of family ties on the one hand and long durations of the asylum procedure without assigning a legal status on the other hand (see chapter 4.1.1 for further information on the asylum procedure) are a major reason for potential delays referred to by the

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<sup>66</sup> AT CSO 4

<sup>67</sup> AT CSO 4, AT CSO 6, AT CSO 7

<sup>68</sup> AT CSO 6

interviewees. Some interviewees voiced the suspicion that unaccompanied minors were purposefully staved off after their 18<sup>th</sup> birthday: *“It is striking that particularly in the case of Afghan adolescents, the asylum procedures are protracted. It is attempted not to conclude it before the 18<sup>th</sup> birthday.”*<sup>69</sup>

When a family reunification is finally initiated, the Red Cross, in cooperation with the International Organization for Migration (IOM), assists in the organization of travel documents and the preparations of the journey to Austria (Red Cross, n.p.). However, once the relatives of an unaccompanied minor have arrived and the reunification has been carried out successfully, further challenges usually await the family. The consulted professionals from the Red Cross reported newcomers’ difficulties in orienting themselves in the unknown society (see chapter 4.3.3 for further information on orientation and training) and the demanding responsibilities that an unaccompanied minor may have to assume upon the arrival of his or her family who are less familiar with the reception country than he or she, with the frequent result that the family members live in different places:

The problems are manifold. [There are challenges related to] living and working, I would say. Then language and school. And then, depending on the family, all sorts of things: intra-familial conflicts, perception about Europe etc. The child suddenly becomes the organizer of the entire family. That is difficult. Most of the adolescents are in special facilities. That means that they have to find a private flat somewhere, but cannot even sign a rental contract because they are not authorized to do so. For adolescents, it is extremely difficult and mostly ends up with the situation that the adolescent stays in the accommodation while the family starts living in a guesthouse and living together is more kind of a future perspective. Often they continue being separated even if the family comes to Austria.<sup>70</sup>

In order to counteract these challenges, the Red Cross has set up a special project:

We have had a project for reunified families since 2011, where the families are on the one hand provided with an integration advisor for questions like ‘where can we live’, ‘how can we protect ourselves financially’. At the same time, they are assisted by volunteer buddies who accompany them in their daily life. This is now in the making, we will implement that for 50 families throughout Austria. This is particularly for reunified families because it is something completely different if they see each other after years or if they have come to Austria together.<sup>71</sup>

### **Turning 18**

Due to the fact that the Austrian Asylum Act (Art. 35 para 1 (22) Asylum Act) only stipulates the possibility of the subsequent immigration of parents for unaccompanied minors and in all other cases only allows for a reunification with the spouse and the unmarried minor children, young adults who entered the country as unaccompanied minors but who have already reached majority age do not qualify for reunifying with their parents in Austria. In practice, as reported by a professional from the Red Cross (AT CSO 4), the application for reunification with parents must therefore be filed no later than the day before the 18<sup>th</sup> birthday of the unaccompanied minor concerned. This, however, is not always possible because of the different obstacles outlined above. In general, as stated by the interviewee, family reunification for unaccompanied minors is always encountered with particular pressure of time.

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<sup>69</sup> AT CSO 6

<sup>70</sup> AT CSO 4, AT CSO 7

<sup>71</sup> AT CSO 4, AT CSO 6

## 4.2 Assistance in Daily Life Matters

This section provides information on daily life matters such as accommodation of (former) unaccompanied minors, culture and religion, education, employment and leisure time.

### 4.2.1 Accommodation

#### **Provisions of accommodation and care for unaccompanied minors**

Accommodation and care of unaccompanied minors fall into the responsibility of both the Federal Provinces and the Federal State. The Basic Welfare Support Agreement regulates their cooperation in this regard. Art. 7 stipulates that more extensive provisions have to be allocated for unaccompanied minors compared with those available for adult asylum seekers, including socio-pedagogical and psychological care.

Until the completion of the **admission procedure**, unaccompanied minors stay in the Initial Reception Centre Traiskirchen, which is under supervision of the Federal State and where they are transferred to when they arrive in Austria. Traiskirchen offers one building which is exclusively used for the accommodation of unaccompanied minors, the so-called 'House 9'. (EMN, 2009:35)

During the actual **asylum procedure**, unaccompanied minors are placed in one of the accommodation facilities in the provinces of Austria. These include special shared accommodation groups for minors with special needs, special accommodation centres for minors who are not able to care for themselves, suitable supervised accommodation and individual accommodation. Apart from that, one Clearing House where a needs assessment in order to identify the specific pedagogical needs of each individual and appropriate long-term reception structures can be conducted currently exists in the Federal Province of Salzburg (EMN, 2009:35-36). The Separated Children in Europe Programme (2009:23) reports that unaccompanied minors are sometimes also placed in guesthouses in some of the federal provinces of Austria. There are also a few unaccompanied minors who are accommodated in foster families. As a professional (AT CSO 5) reported in an interview, however, this is usually the exception.

The **process of allocating a certain unaccompanied minor to a certain accommodation facility** was mentioned by various professionals from governmental and civil society institutions when discussing the issue of accommodation and care. Having been asked for the main selection criteria, a respondent from the Federal Ministry of the Interior explained that both a quota regulation and characteristics of the individual are taken into consideration when looking for housing for an unaccompanied asylum-seeking minor:

Basically we have a quota regulation according to which we allocate the asylum seekers and first we try to allocate them to the federal provinces which do not comply with the quota. In practice, we do not have adequate structures for unaccompanied minors in all federal provinces or at least not to a sufficient number, so that in the end it is concentrated in four or five federal provinces. As it is usual [...], it is operated where it works well. That's why the focus of the transfer is on the federal provinces which are effective and have an adequate amount of structures and which have already proved successful in the care. We do look where an adolescent fits best and what he needs. Age, health, maturity and personal development play a role in the allocation process, with age as the starting point of reference.<sup>72</sup>

However, the professional from the asylkoordination österreich stressed that the needs of the respective unaccompanied minor are not sufficiently addressed:

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<sup>72</sup> AT GOV 1

That's exactly the problem. It [the Initial Reception Centre Traiskirchen] is still called clearing facility, but in reality, this clearing does not take place. It is not assessed which needs [a certain unaccompanied minor] has. Instead, it is identified where free places are available and then that's where this minor is assigned to.<sup>73</sup>

As one major problem in this context, the professional mentioned that there are unaccompanied minors who disappear from the Initial Reception Centre in Traiskirchen because of being afraid of the upcoming removal. Against this background, he also voiced critique on abrupt transferrals from one day to another upon admission to the actual asylum procedure without previously informing the respective adolescent:

As far as I know, they are communicated immediately before [their transferral] that they will go to a certain place and that they have to pack their things. In the past, the House 9 [facility for unaccompanied minors at the Initial Reception Centre Traiskirchen] made efforts to prepare them and to show them where they will be brought to, although they still could not take their own decision. However, as far as I know, this is not the practice anymore. [...] It is not necessarily bad for them that they will have to go to Salzburg, for example, but they are certainly scared because they do not really know what lies ahead of them.<sup>74</sup>

### **Quality of accommodation facilities**

Not all of the accommodation facilities assigned for the reception and care of unaccompanied minors appear to be appropriate for meeting the needs of these adolescents:

The interviewed (former) unaccompanied minors gave negative feedback primarily on the **Initial Reception Centre**, a shortcoming also revealed by the FRA study (FRA, 2010a:13; FRA, 2010b:36). Their critique first and foremost related to nutritional aspects, to the sanitary installations and to social issues, with one adolescent saying: *"The food was not good in Traiskirchen, the bathroom and the shower were not good either. The house is small for so many people. [...] I always had to eat what they had prepared. At my current accommodation, I can choose what I eat."*<sup>75</sup> After having described her entire stay at the Initial Reception Centre as very bad experience, one female respondent further said: *"Traiskirchen was terrible. The boys tried to hit on me. The food was bad."*<sup>76</sup>

Apart from the living conditions in the Initial Reception Centre, shortcomings were identified with regard to the aforementioned **guesthouses**. Fronek (2010:124) refers to a lack of care and of qualified staff in such facilities. As another shortcoming in this context, he reports that unaccompanied minors living in guesthouses are often not provided with a guardian. In general, he questions whether the appointment of profit-oriented companies is in the best interest of the child as their primary interests may differ from providing child-friendly accommodation and care.

As a general critique, the coordinator of the NGO asylkoordination österreich (AT CSO 5) remarked in an interview that the majority of all accommodation facilities available for unaccompanied minors do not meet the **overall standards of the youth welfare**, mainly because the allocated financial resources (see chapter 4.3.4 for further information on financial resources) are not enough in order to accomplish these.

Notably, they are lower than the provisions for Austrian children and adolescents in institutional care: *"For [Austrian] adolescents in normal institutions, the daily cost allowances amount to 120 Euro*

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<sup>73</sup> AT CSO 5

<sup>74</sup> AT CSO 5

<sup>75</sup> AT UAMAS 1

<sup>76</sup> AT UAMAS 11



on average and for unaccompanied minors, they start with 37 Euro and reach up to 70 Euro as a maximum, thus they are significantly lower.”<sup>77</sup>

**Table 2<sup>78</sup>: Ration of carers and unaccompanied minors and daily allowances available for accommodation and care**

	Ratio of Carers and Children/Adolescents	Financial Resources in Euro for Accommodation, Boarding and Care of Unaccompanied Minors
“Special shared accommodation groups” (Wohngruppen)	1:10	EUR 75,-per person/per day
“Special accommodation centres” (Wohnheime)	1:15	EUR 60,- per person/per day
“Supervised Accommodation” (betreutes Wohnen)	1:20	EUR 37,- per person/per day
Any other type of accommodation		EUR 37,- per person/per day
Pocket money		€ 40,- per person/per month
Leisure Activities within an organised accommodation		€ 10,- per person/per month

Source: Basic Welfare Support Agreement, Art. 9.

### **Location of accommodation facilities**

The location of the accommodation facilities where (former) unaccompanied minors live appeared to be a topic of specific importance for the interviewed adolescents and young adults. All of the respondents who chose to share their experiences and opinions on the issue of accommodation stressed that they preferred to live in a city rather than on the countryside. Those who were accommodated in little villages by the time of the interview expressed dissatisfaction, with one interviewee who resided in Lower Austria saying: “*Vienna is better than my place, my place is boring*”<sup>79</sup>, and another one from the same facility stating: “*Vienna is better than my place. My village is too small.*”<sup>80</sup> Likewise, a respondent who declared that he liked his current place of residence in a city in Lower Austria particularly referred to the fact that it was well connected to Vienna by public transport when evaluating his living conditions as good: “*I like my facility. The house is alright. And the station of the rapid transit railway is very close.*”<sup>81</sup> Older interviewees who were closely before their 18<sup>th</sup> birthday when they participated in the study mentioned that they were afraid of being transferred to another accommodation facility, mainly because of the fact that the latter could be located in a rural area where they would not like to live: “*I do not want to go to a facility for adults.*

<sup>77</sup> AT CSO 5

<sup>78</sup> This table illustrates the ratio of carers and unaccompanied minors to be cared for depending on the type of accommodation structure

<sup>79</sup> AT UAMAS 11

<sup>80</sup> AT UAMAS 12

<sup>81</sup> AT UAMAS 6

*This is the last option. [...]. It could be on the countryside, and I don't want to live on the countryside.*<sup>82</sup> The professionals spoken with also found it better to provide (former) unaccompanied minors with accommodation in an urban area and, in this context, provided two main arguments. On the one hand, they stressed that integration processes and the establishment of contacts to other people from the same country of origin can more easily be facilitated in urban environments, as also assumed by the Arbeitsgruppe Menschenrechte für Kinderflüchtlinge ([AG Menschenrechte für Kinderflüchtlinge, n.p.](#)). On the other hand, different professionals argued that it is easier to identify appropriate educational measures for (former) unaccompanied minors, including German courses to learn the local language, in cities (Fronek 2010:124). In sum, the overall living conditions for (former) unaccompanied minors were assessed to be better in urban than in rural areas by the head of lobby.16, an NGO providing support in terms of employment, education and daily life to (former) unaccompanied minors: *"The living conditions are not equally good. In the provincial capitals it is certainly better than somewhere on the countryside."*<sup>83</sup>

### **Life at accommodation facilities**

As to the **composition of inhabitants at accommodation facilities**, adolescents and young adults who shared their housing with other (former) unaccompanied minors from different countries of origin said that they enjoyed being together with people from other nationalities. This is especially true because of the fact that they have to speak German in order to be able to understand each other, a challenge which many respondents regarded as great opportunity to practice their language skills: *"I like the place where I live. I share it with two people from Africa and one person from Afghanistan. It's good here because I always have to speak in German. Where I lived before, I always spoke Dari."*<sup>84</sup> From a pedagogical point of view, a professional argued that it is recommendable to have a well mixed group of (former) unaccompanied minors living at the same facility or, if that is not possible, to determine whether it could make sense to only accept people from the same country of origin:

The experience shows that it is difficult if one group is dominant in a facility because this obviously leads to the formation of groups. It is also difficult because they can communicate in their mother language while the others do not understand them. This certainly leads to pedagogical challenges and one solution for example can be to only admit one [group] and in this way achieve a different dynamic.<sup>85</sup>

However, sharing a place to live with people from different national and especially cultural backgrounds can also imply difficulties, particularly if ways of behavior and customs differ between the adolescents and young adults. One respondent for example was not happy about the fact that some of her roommates, due to religious reason, washed themselves regularly while there was only one bathroom available for all eight inhabitants of the facility: *"The Muslim girls. They always have to wash themselves. We don't."*<sup>86</sup> Against this background, two professionals from an accommodation facility for unaccompanied minors stressed that it is of high importance to provide the adolescents with guidance in their process of getting to know, analyzing and assessing people with different customs and values.

**Privacy and individual space** turned out to be another important aspect of the life of (former) unaccompanied minors at accommodation facilities. Adolescents and young adults who were

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<sup>82</sup> AT UAMAS 6

<sup>83</sup> AT CSO 9

<sup>84</sup> AT F/UAMAS 1

<sup>85</sup> AT CSO 5

<sup>86</sup> AT F/UAMAS 9

accommodated in bigger facilities and who shared a room with others said that they did not feel too comfortable with their living situation: *"In total, there are 16 people and always two people live in one small room. That is not good."*<sup>87</sup> This appears to be a particular difficulty for (former) unaccompanied minors who go to school and who would like to study and make their homework in a quiet atmosphere. In correspondence, one adolescent who was offered to stay in the accommodation facility for unaccompanied minors after her 18<sup>th</sup> birthday and until she has finished school said that she would prefer to move to a flat: *"I could stay because I am going to school, until I obtain my diploma. But I want to find a flat, where I have a quiet atmosphere and where I can study."*<sup>88</sup> Dissatisfaction in terms of a lack of privacy and space for one's own was also expressed by respondents who reported tense relationships with other inhabitants: *"I want to live alone and be independent. There are problems among the girls in my facility."*<sup>89</sup> An interviewee living in the same housing said:

It is good but everyone here is always so loud, they make me angry and that's why it is good that I will move out. On the one hand, my place is a paradise compared to other facilities for asylum seekers, but on the other hand, there is only one toilet, one shower, one kitchen and one internet for eight people. We have problems so often.<sup>90</sup>

The (former) unaccompanied minors who were living in a room by their own at the time when the interview took place stressed that their situation turned much to the better when they were given a single room, with one respondent saying: *"I like my current accommodation better than the one I had before because now I have a room for myself and it is easier to study"*<sup>91</sup> or another one mentioning: *"I like it where I live now. I have a single room. With my roommates, I had quite a lot of problems. Then I said that it's enough, I had a sleeping disorder and then they gave me a single room."*<sup>92</sup> Likewise, also interviewees who had a 'proper' flat stated that they were very satisfied with their living conditions and enjoyed having privacy.

The **infrastructure in the different accommodation facilities** for (former) unaccompanied minors was regarded as significant by the interviewed adolescents and young adults. Particularly the existence of computers with internet was commented on. Several respondents, many of them living in the same facility with more than 20 inhabitants, suggested purchasing more computers and providing each room with one of them. When asked what he would change about his current housing if he had the chance to do so, one of them said: *"I would like to have a proper computer and internet in every bedroom. There is internet, but it only works sometimes and one computer has to be shared among all of us."*<sup>93</sup> On a related note, an adolescent who expressed his satisfaction with all aspects of his accommodation facility and, in particular with the availability of technical equipment, explained: *"The TV helps me with learning German. The computer helps me with translations, it is a great help for learning German. Facebook is good in order to speak with my friends."*<sup>94</sup> This shows that computers with internet are perceived as crucial by the (former) unaccompanied minors mainly because of educational and social reasons.

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<sup>87</sup> AT F/UAMAS 6

<sup>88</sup> AT UAMAS 3

<sup>89</sup> AT UAMAS 11

<sup>90</sup> AT F/UAMAS 9

<sup>91</sup> AT UAMAS 8

<sup>92</sup> AT F/UAMAS 5

<sup>93</sup> AT UAMAS 7

<sup>94</sup> AT UAMAS 1

The **care workers** were often described as very helpful and kind by the (former) unaccompanied minors who participated in the study at hand and referred to as one of the most important resources the adolescents and young adults can draw upon: *"I can rely on my care worker. He wakes me up when my alarm clock does not work. He goes with me to the doctor."*<sup>95</sup> Another respondent mentioned that his care workers assist him in finding a place at school. The conversations with the former unaccompanied minors who had already turned 18 years of age revealed noticeable differences in the intensity of care they received. Nonetheless, also different interviewees from this group stressed that they appreciated regular visits from or meetings with their actual care workers and, with specific gratitude, mentioned that they had received very valuable assistance from their previous care workers while preparing for adulthood and for a life as adult asylum seekers.

### **Turning 18**

Reaching majority age leads to remarkable changes in the living situation of (former) unaccompanied minors. As described by Fronck (2010:182-185), they usually have to leave the accommodation facility for unaccompanied minors and are transferred to accommodation facilities for adults or get to live in a flat, depending on their legal status. Apart from that, some facilities solely accommodating young adults who entered the country as unaccompanied minors and who aim at facilitating the transition from being an adolescent to being an adult who is responsible to care for himself/herself are available, e.g. in the Federal Province of Salzburg. In few cases, adolescents are allowed to stay in the accommodation for unaccompanied minors for an additional period of time after having turned 18. However, this option is limited: It is normally bound to the prerequisite that the young adult still undergoes some sort of education, that enough rooms are available and that the facility can compensate the shortened amount of money provided for the accommodation and care of adult asylum seekers. The reactions of the (former) unaccompanied minors towards these changes differed. In general, many of the adolescents who were interviewed shortly before their 18<sup>th</sup> birthday said that they did not know where they will live once they reach majority age and admitted that this uncertainty made them feeling uncomfortable. One respondent said: *"Of course I am afraid of moving out. I don't know the next one."*<sup>96</sup> Another respondent stated: *"My current accommodation is good, but I don't know where I will go to when I am 18."*<sup>97</sup> In connection with this concern, several interviewees stressed that they were particularly worried about finding an appropriate accommodation which, in many cases, corresponded to the wish to live in a proper flat: *"Until now, I have always been in an accommodation facility. In nine months I will turn 18. I need to find a flat. I have got a friend who is 18 and who does not find any flat. I really want a flat, I do not want to live in a facility. But a flat is expensive. I am afraid of my 18<sup>th</sup> birthday."*<sup>98</sup> Others, however, indicated that they were looking forward to being adult, mainly because of the desire to become more independent, not to be obliged to follow rules and to have more privacy. Accordingly, some of the interviewed former unaccompanied minors who had already experienced this rebuilding phase said that turning 18 changed their living situation to the better, with one respondent saying: *"I feel good. There are no rules when I have to clean for example. I feel free"*<sup>99</sup>, and another one mentioned: *"I didn't like my previous accommodation that much. I had to be at home at 11pm. Now I live alone and there is no fixed time when I have to be at home."*<sup>100</sup> Notably, this satisfaction was mainly expressed

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<sup>95</sup> AT UAMAS 1

<sup>96</sup> AT UAMAS 13

<sup>97</sup> AT UAMAS 3

<sup>98</sup> AT UAMAS 5

<sup>99</sup> AT F/UAMAS 3

<sup>100</sup> AT F/UAMAS 4

by respondents who started living in flats or special accommodation facilities for young adults. One interviewee who had been transferred to a large accommodation facility for adult asylum seekers after having reached adulthood reported a worsening of his living conditions and remembered his previous housing with melancholy:

I live in a small room together with a same-aged boy and I am allowed to do the laundry only twice a month for two hours. [...] Before, I lived in a supervised accommodation and liked it very much. We were 13 boys and our care worker was really nice to us. He organized football matches and we had a lot of fun.<sup>101</sup>

## 4.2.2 Culture and Religion

### **Importance of culture and religion**

The (former) unaccompanied minors voiced different opinions on the importance of following customs and traditions prevailing in their country of origin. Some mentioned that they would like to fully adapt to the new environment. One young adult who had received asylum and hence a long-term perspective to reside in Austria for instance said: *“I want to be an Austrian because Austria has helped me a lot. [...] It is important to make an effort in order to be like an Austrian.”*<sup>102</sup> Others, however, stressed that it was impossible to ignore their cultural background: *“I was born in Afghanistan. You cannot forget your own culture. I cannot forget Afghanistan. I was born there and I grew up there. My country is my heart. You cannot live without a heart.”*<sup>103</sup>

As reported by a professional from an educational centre providing diverse courses for (former) unaccompanied minors in Vienna (AT CSO 10), it is crucial to give advice to the adolescents and young adults in their process of considering and positioning themselves in a different environment. This respondent stressed the relevance of guided spaces for reflection where the (former) unaccompanied minors can deal with different cultural approaches, also taking into consideration that, once in Austria, they are not only confronted with the Austrian society but also with the cultural background of other migrants who come from a variety of countries of origin:

We have adolescents [and young adults] from more than 22 countries. This is a big issue. In the context of the ‘Hauptschulabschlusskurse’, we have the philosophy project. Racism, for example, is a major topic. In the context of the German classes, we treat these issues in the framework of the courses and also in our [gender-specific] groups for women and men. Well, this is indeed a very important issue. The examination with their culture of origin in the classes. We do not have a dominant country in any of the classes, we try to mix it thoroughly. This is very important. We do not want a class with 20 Afghans and another class with 20 Chechens. We really make sure that they are intermixed.<sup>104</sup>

In these courses, the adolescents are free to talk about different issues of interest, for example about their perception and cultivation of culture and whether they find it important or not to adapt to the host country’s culture(s).

When asked about religion, especially the female respondents from East Africa but also several male respondents mentioned that it was important to them: *“I practice my religion in Austria. I go to the church. Religion means everything to me.”* Also a survey conducted by the University of Vienna (University of Vienna, 2010:214) revealed that some (former) unaccompanied minors engage in religious activities. Other respondents stressed that they were not religious or that religion was not

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<sup>101</sup> AT F/UAMAS 8

<sup>102</sup> AT F/UAMAS 1

<sup>103</sup> AT F/UAMAS 3

<sup>104</sup> AT CSO 10

important to them. In some cases, the interviews showed that religion is an issue which creates unpleasant feelings for the adolescents and young adults, particularly for those from Afghanistan, as they fear that confessing religiosity might be perceived negatively and interpreted as a sign of 'fundamentalism' in Austria. A third group of respondents said that they were not religious before coming to Austria but started practising religion after their arrival because of feeling a special need for a spiritual backing in their situation as (former) unaccompanied minor.

As one main reason, several of the respondents stated that religion is important due to the support the minors and young adults draw from their belief: They mentioned that believing in God provides them with strength and energy in order to be able to withstand and overcome difficulties they face, e.g. with regard to the asylum procedure or their personal situation of being separated from loved ones. One young adult said: *"If you have problems, then religion helps."*<sup>105</sup> This corresponds to the findings of the FRA study (FRA, 2010a:16) which indicate that *"religion represented an important element of their [the unaccompanied minor's] personal and social life in terms of being a source of motivation and support"*. As the FRA (2010a:16) further suggests, religion is also important when it comes to the issues of integration and social life. Religious activities such as in- and outdoor leisure activities organized by the respective religious communities are often used as a medium to meet with Austrians and people who come from the same country and cultural background respectively, as also reported by an adolescent: *"I am also in the choir. [...] The church is also a place where I can make friends."*<sup>106</sup> Fronek (2010:162-163) describes these interactions as very useful, especially in the sense of being an opportunity for building up a secure social network.

### ***Experiences of Xenophobia***

One difficulty in being religious was referred to by different interviewees, who reported of negative experiences they had had in Austria (see chapter 4.3.1 for further information on interaction with and integration into the host society) because of their religious affiliation. Two young Muslim women mentioned situations when they felt discriminated against and said that *"this also makes you suffer"*<sup>107</sup>. For example, they noticed differences on how they were treated in public depending on whether they wore a scarf or not. Others, first and foremost male adolescents and young adults from Afghanistan, explained that they often had the feeling of being perceived as 'fundamentalists' and being treated with prejudices only because of their religious denomination and their country of origin. Correspondingly, one interviewee explained that he was once asked about his religion while doing community work and was immediately called 'a terrorist' when he said that he was from Afghanistan. In this regard, it was essential for different interviewed (former) unaccompanied minors to point out that they were open-minded and liberal towards all religions and that they fully respected the freedom of belief: *"All religions stem from the same roots. The religions are like the different arms of a tree."*<sup>108</sup>

### ***Spaces for exercising religion and culture***

Another deficiency, although only applicable to specific groups of (former) unaccompanied minors, relates to the possibility to actively practice one's belief. Some of the respondents who lived on the countryside (see chapter 4.2.1 for further information on accommodation) said that this was very challenging as there were no corresponding public places available in proximity of their

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<sup>105</sup> AT UAMAS 11

<sup>106</sup> AT F/UAMAS 6

<sup>107</sup> AT F/UAMAS 7

<sup>108</sup> AT UAMAS 4

accommodation: *“I would like to go to the Mosque if it wasn’t that far away.”*<sup>109</sup> The same was true for the possibility to practice one’s ‘original culture’ while residing in Austria. Especially (former) unaccompanied minors from countries with low numbers of asylum seekers in Austria said that it was not easy for them to live culture-specific habits and customs due to a lack of respective structures in Austria. One girl stated that she was affected by the limited possibilities to continue exercising ‘her’ culture: *“We live well but we have lost a lot: our culture.”*<sup>110</sup> The ‘godmother’ from the *connecting people* project<sup>111</sup> also shared the opinion that it can sometimes be difficult for the (former) unaccompanied minors to find appropriate spaces to exercise their culture and religion. She mentioned that in the accommodation facility (see chapter 4.2.1 for further information on accommodation) where the adolescent she supports lives, special rooms for praying or exercising one’s cultural background, for instance, are not available.

### 4.2.3 Education

#### **Importance of education**

All of the (former) unaccompanied minors who were interviewed for the purpose of this study stressed that education was a very important topic for them. This became apparent not only when speaking about this very issue but also when the respondents explained what they expected from their future: *“For me it is important to receive education [in the future]. Currently, I am doing a course in typewriting [...]. At the Integrationshaus [accommodation facility for asylum seekers], I will take a Java-course.”*<sup>112</sup> Many of them indicated that they wanted to study and get a good education in order to be able to independently manage their lives: *“I want to have a good job, I want to have a good life. I would like to be a doctor [...].”*<sup>113</sup> This sentiment was corroborated by another (former) unaccompanied minor: *“First, I want to finish school and then I would like to go to university. I would like to study law in order to become a lawyer.”*<sup>114</sup>

Apart from the opportunity to learn something and to prepare oneself for the future (see chapter 4.4 for further information on plans for the future), the (former) unaccompanied minors also stressed in the interviews the importance of schooling and education in terms of having an occupation and a daily routine. Correspondingly, a boy who recently started going to school in Austria said the following: *“The special thing is when you get up early and go to school. We take the train together. You have a mission. You go to school. Every day you’ve got to do something. You see yourself – you are something, you take a good breath, you see a peace, kind of good people.”*<sup>115</sup> In contrast, a young man who was not enrolled at school at the time of the interview said: *“At present, I am only sitting at home and do not have anything to do. I have got the feeling that I will get mad because I am only sitting around.”*<sup>116</sup>

#### **Access to education**

Education in Austria is compulsory for every child – including unaccompanied minors – between the age of 6 and 15 years (Act on Compulsory School Attendance). In practice, asylum-seeking children

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<sup>109</sup> AT UAMAS 12

<sup>110</sup> AT F/UAMAS 7

<sup>111</sup> AT CSO 8

<sup>112</sup> AT F/UAMAS 2

<sup>113</sup> AT F/UAMAS 6

<sup>114</sup> AT UAMAS 3

<sup>115</sup> AT UAMAS 13

<sup>116</sup> AT F/UAMAS 5

are not enrolled in a school during the admission procedure and while they live in the Initial Reception Centre Traiskirchen due to the fact that they stay there only for a relatively short period of time. After having been admitted to the actual asylum procedure and after transferral to a provincial accommodation facility, unaccompanied minors can be enrolled in an Austrian school. Since the majority of the (former) unaccompanied minors are, however, older than 15 years of age when they arrive in Austria, compulsory education does not apply to them in most of the cases. Upon completion of compulsory education or if compulsory education is not applicable, unaccompanied minors can either opt for entering a secondary school or for doing a 'second-chance education' (zweiter Bildungsweg<sup>117</sup>), which offers the possibility of obtaining a school degree after leaving regular school.

In practice, however, access to secondary schools is often restricted for (former) unaccompanied minors: *"Basic education and literacy courses up to 'Hauptschulabschlusskurse'<sup>118</sup> is easy if there are spaces available in the courses. But [the access to] everything else is difficult and not tailored to the needs of this target group."*<sup>119</sup> As explained by the social worker from an educational institute in an interview, it is thus much more likely that a (former) unaccompanied minor will attend a special type of 'second-chance education', mostly the so-called 'Hauptschulabschlusskurs'. This was confirmed by the young interviewees of whom the majority participated in a preparation course for the 'Hauptschule' or in the 'Hauptschulabschlusskurs' by the time of the interview. Only two female respondents reported that they went to secondary schools. Notably, some adolescents and young adults stated that they did not go to school at all.

According to several professionals, the main reason why (former) unaccompanied minors usually do not go to regular secondary schools and why they are excluded from wide parts of the Austrian public school system is the fact that their **educational background** and their **German language skills** in combination with their **age** often do not match with the **requirements set out for the Austrian educational curricula**. Although a systematic collection of data about educational backgrounds of unaccompanied minors coming to Austria is missing and respective information obtained in the frame of the interviews for the asylum procedure are solely used in order to prove the credibility of the applicant (Fronek, 2010:148), the consulted professionals shared the impression that these adolescents, often coming from regions of crises or war where well-functioning school systems are not in place, tend to have had less education than their same-aged Austrian peers:

They come from different educational backgrounds. There are some who have never been to school and who take German courses, then preparation courses and then the 'Hauptschulabschlusskurs'. Maybe they are trained for two years and then they should have the same level as an Austrian pupil who went to school for eight years. That is not possible.<sup>120</sup>

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<sup>117</sup> 'Zweiter Bildungsweg' refers to all educational opportunities available to people who have not completed compulsory education in a regular way so that they can subsequently graduate from school.

<sup>118</sup> The lower secondary school ('Hauptschule') is designed to provide all pupils with a basic general education within a four-year period after finishing elementary school. Its purpose is to prepare pupils for working life and to equip them with the necessary knowledge for transfer to upper-secondary schools (Austrian Federal Ministry for Education, Arts and Culture, n.p.). Persons who have not completed schooling in the framework of compulsory education can participate in a so-called 'Hauptschulabschlusskurs', which provides them with an educational degree within one year instead of the regular four years. The educational level gained through the 'Hauptschulabschlusskurs' is theoretically comparable to the educational level of the 'Hauptschule'. Optionally, preparatory courses to the 'Hauptschulabschlusskurs' ('Vorbereitungskurs für Hauptschulabschlusskurs'), which usually last one additional year, can also be attended previous to beginning the 'Hauptschulabschlusskurs'.

<sup>119</sup> AT CSO 10

<sup>120</sup> AT CSO 3



As explained by a professional, schools can theoretically admit older people to lower grades if they do not meet the **age-based prerequisites of the Austrian educational system**: *“In theory, schools can admit 25-year old people and put them into grade one.”*<sup>121</sup> However, the reception of (former) unaccompanied minors at Austrian schools is not perceived as completely unproblematic and schools often feel overburdened with the integration of (former) unaccompanied minors into their system (National Coalition Austria, 2004:27). Thus, in practice, schools usually only accept (former) unaccompanied minors to join a certain grade if they are not more than two years older than the class average. This approach seems to take into consideration the frustration that sharing a classroom with much younger or much older people can implicate:

If the first grade starts for example with 14, then they only accept someone who is 16 at most. We have already reached some exceptions, with a lot of begging we convinced the principals at different schools to take two or three of our people. But then they [the (former) unaccompanied minors] failed because they could not bear being in the same class with 14-year old pupils.<sup>122</sup>

One adolescent who participated in the study at hand personally faced the difficulty of not being admitted to a secondary school because of her age: *“I really want to go to the ‘Gymnasium’ (higher secondary education). I passed the entrance examination but I will soon turn 18 and I believe that they finally won’t take me because I am too old.”*<sup>123</sup>

Another factor that complicates the successful integration of (former) unaccompanied minors in the Austrian regular school system is a **shortage of means**. The financial resources available for supporting unaccompanied minors’ education provided within the framework of the Basic Welfare Agreement is usually limited to an amount of 200 Euros per school year (Art. 9 (11) Basic Welfare Support Agreement). According to Fronek (2010:150), this is enough to cover the costs for books and other school material, but does not allow the unaccompanied minor to participate in certain kind of activities such as excursions and other extra-curricular activities. In addition, this allocated amount does not facilitate the attendance of private schools on the part of (former) unaccompanied minors, as it is the case of one young adult who would have been admitted to a private secondary school in the field of tourism: *“I don’t think that I will be able to go to the tourism school because I don’t think that my accommodation facility will be able to cover the costs. They are currently trying to find money so that I can go to this school, I cannot pay it by myself.”*<sup>124</sup>

### **Life at school**

As to the **social composition of the classes**, almost all of the interviewed (former) unaccompanied minors – first and foremost those who participated in a preparation course for the ‘Hauptschulabschlusskurs’ or a ‘Hauptschulabschlusskurs’ – explained that they solely went to school with other asylum seekers. Nonetheless, the majority of them would prefer to mingle more with local adolescents (see chapter 4.3.1 for further information on interaction with and integration into the host society). One respondent who was able to attend school with Austrian pupils expressed a very positive opinion about going to a ‘mixed school’:

For me it was good to be together in a class with so many Austrians. For me that was very important because of the language and the culture. The biggest advantage is that you can learn the language. If I had only gone to school together with other Afghans, I would have had to speak Dari only.<sup>125</sup>

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<sup>121</sup> AT CSO 10

<sup>122</sup> AT CSO 10

<sup>123</sup> AT UAMAS 10

<sup>124</sup> AT F/UAMAS 5

<sup>125</sup> AT F/UAMAS 2

The **relationship with schoolmates** was discussed differently by the respondents. The majority of them said that their schoolmates were nice, although some interview partners also reported situations characterized by distance between the pupils. One young adult said for example: *“In my class there is a girl from Austria. But she doesn’t speak to us. She is shy.”*<sup>126</sup>, and another respondent mentioned: *“I don’t speak a lot with the others. They are a bit crazy. They use swear words, and I don’t feel comfortable then.”*<sup>127</sup> In any case, the (former) unaccompanied minors seem to focus more on how they can benefit from their education and to concentrate less on social issues, even though some also emphasized that they go to school to in order to meet people and to make friends. Teachers were in most cases said to be very nice, supporting and understanding and to demonstrate a high willingness to explain complex issues over and over again. *“The teachers are sooo nice. Everybody is sooo nice there.”*<sup>128</sup>

**Difficulties in following the lessons** were mentioned by different (former) unaccompanied minors: They explained that because of their insecure situation in the asylum procedure and the long waiting time for receiving a final decision on their residence in Austria, it was sometimes hard to concentrate. In connection with such statements, Fronek (2010:147) referred to the fact that many (former) unaccompanied minors suffer from traumatic experiences, which have a negative influence on their power of concentration. As further component impeding the success of studying, a social worker from an educational institute stressed that many (former) unaccompanied minors do not know how to study properly: *“That sounds relatively trivial because we all learned that during our school career in some way or another. But many of our adolescents haven’t learned that.”*<sup>129</sup>

As a possible solution, several professionals highlighted the **crucial importance of the support and commitment of individuals and the civil society** (see chapter 4.3.4 for further information on support and resources) for the educational development of (former) unaccompanied minors. Being in Austria without parents and significant others and lacking money for individually paying private lessons, they fully depend on the assistance of volunteers who act as educational mentors and who provide guidance. The (former) unaccompanied minors mentioned ‘godparents’ from the *connecting people* project, teachers as well as care workers as important resource persons by whom they are supported when it comes to education: *“Homework is very difficult for me. Through my ‘Patin’, I got extra lessons in English. My ‘Patin’ helps me with German. If she hadn’t helped me, it would have been very difficult.”*<sup>130</sup> Also the support of volunteers was positively commented upon by different respondents: *“I have a very nice private tutor, I got to know her when I made a basic education course. If I have questions, she invites me to come to her place and explains me everything that I don’t understand.”*<sup>131</sup> Some of them referred to the special situation that they cannot be supported by their parents like many Austrian pupils: *“It is very difficult because my German is not that good. I do not have any family at home who could help me when I’ve got learning difficulties.”*<sup>132</sup>

Different levels of satisfaction with their educational situation were expressed by the interviewed (former) unaccompanied minors. The two respondents who went to secondary schools appeared to be overjoyed: *“My school is simply wonderful. My teacher is great. My schoolmates are lovely.”*<sup>133</sup>

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<sup>126</sup> AT F/UAMAS 3

<sup>127</sup> AT F/UAMAS 6

<sup>128</sup> AT UAMAS 13

<sup>129</sup> AT CSO 10

<sup>130</sup> AT F/UAMAS 4

<sup>131</sup> AT F/UAMAS 3

<sup>132</sup> AT F/UAMAS 4

<sup>133</sup> AT F/UAMAS 9

Both mentioned that they had managed to integrate well into the Austrian educational system and that they were getting good marks in all subjects. In general, the preparation courses for the 'Hauptschule' and the 'Hauptschulabschlusskurs' were also positively evaluated by the (former) unaccompanied minors. Some, however, stated that they were not challenged enough and would prefer going to a secondary school, while others found them a bit tough from time to time: *"It is a bit difficult. Maths is very difficult. German is alright, if I study hard, it is not that difficult."*<sup>134</sup> In one case, an adolescent said that he had never been alphabetized and could therefore hardly understand any of the classes.

### **Turning 18**

Turning 18 sometimes has a severe impact on the educational situation of the unaccompanied minors. Almost always, the young adults have to leave their initial accommodation facility and, in many cases, are transferred to other regions in Austria after having reached majority age. This is due to the fact that, especially in rural areas, no accommodation facilities for adult asylum applicants are available at the place where unaccompanied minors are accommodated. Because of the great distance between the educational institutions they have been visiting and their new housing, they often have to break off their schooling (Fronek, 2010:182-184). Also in cases where the young adults remain located in the same city/village where they have been living before, reaching majority age influences their educational situation. The living conditions in accommodation facilities for adult asylum seekers often do not provide enough privacy and quietness in order to be able to study in a concentrated and focused way and, furthermore, do not have necessary equipment available, i.e. computers. Furthermore, they usually cannot offer the intensity of assistance, which is necessary to succeed at school, e.g. when a young adult experiences learning difficulties (Fronek, 2010:182-184). Former unaccompanied minors with subsidiary protection or refugee status faced specific difficulties in this regard. They often have the possibility to move to private flats, which *"opens a can of worms"* (AT CSO 10), as expressed by a professional, because of sharing the living space with the 'wrong' people or because of renting cheap apartments that do not fulfil minimum standards and which prevent the young adults from focusing on their education. As summed up by a social worker from an educational institute (AT CSO 10), reaching majority age is in many cases reflected by the worsening of achievements of the respective young adults at school.

## **4.2.4 Employment**

### **Importance of work**

Many of the interviewed adolescents and young adults expressed the wish to work if they had the opportunity to do so and some would even prefer having a job or completing a vocational training instead of participating in a primarily educational measure such as German classes or the 'Hauptschulabschlusskurs'. Some of the respondents, especially male (former) unaccompanied minors from Afghanistan, had a job before coming to Austria and said that they would like to start working again in the area where they had been active already: *"As a child in Afghanistan, I was tailor. That's what I could do here as well."*<sup>135</sup> However, other (former) unaccompanied minors indicated that they were not (yet) interested in starting to work as they preferred to continue with school first: *"I don't want to work. Now, I go to school. I am studying German. Maybe I will work later on."*<sup>136</sup>

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<sup>134</sup> AT F/UAMAS 6

<sup>135</sup> AT F/UAMAS 3

<sup>136</sup> AT UAMAS 1

An important reason for the wish of many (former) unaccompanied minors to work is the desire to earn their own money and to have more financial resources at their device. Some respondents said that they wanted to support family members and, as a result, would like to send some money to them. Others indicated that they had debts and needed to give back money to other people: *“I would like to work because I have to pay back money to my uncle.”*<sup>137</sup> One boy mentioned that it was an unpleasant feeling to be financially dependent and to live at the expense of others: *“I have to do something for this city. If I am living here, I need to do something for this city.”*<sup>138</sup> In addition, a professional from an educational institute stated that many minors and young adults perceived school as time-consuming and faced difficulties in learning, which results in little pleasure at school and a stronger aspiration for quitting education and starting working.

### **Access to the labour market**

In Austria, the employment of children below the age of 15 years or until ending obligatory education is prohibited. This also applies to unaccompanied minors. According to the Federal Basic Welfare Support Act, asylum seekers – including unaccompanied minors – are allowed to start working three months after having lodged an asylum application (Art. 7 para 2 Federal Basic Welfare Support Act). However, access to the labour market can only be gained upon receipt of a work permit which is subject to quota restrictions. Additionally, a ‘labour market test’ is necessary. A circular letter issued by the Austrian Federal Ministry of Economical Affairs in 2005 further restricted the employment of asylum applicants to seasonal work. Vocational training is also regulated within the framework of the Aliens’ Employment Act and therefore subject to authorization. For these reasons, it can be very difficult for asylum-seeking unaccompanied minors to obtain a work permit. What currently is possible for asylum seekers, including unaccompanied minors over the age of 15, is the implementation of auxiliary tasks serving the public good in federal, provincial and municipal institutions, including activities such as landscape work or maintaining park and sports facilities (Art. 7 para 3 Federal Basic Welfare Support Act). Some accommodation facilities also offer small remunerations for unaccompanied minors who assist in e.g. kitchen or garden work (EMN, 2009:41). Furthermore, unaccompanied minors are also allowed to undertake voluntary services at companies, provided that these are not income-producing, which is subject to labour market regulations (AT GOV 1). The entire situation is different for unaccompanied minors who were granted subsidiary protection or refugee status: They have free access to the labour market (Art. 1 Aliens’ Employment Act).

In practice, access to the labour market, including vocational trainings, is strictly limited for (former) unaccompanied minors, even if they are permitted to take up an employment due to granted subsidiary protection or refugee status. The consulted professionals and the (former) unaccompanied minors spoken with mentioned different reasons:

First and foremost, the **age** of the majority of the (former) unaccompanied minors in Austria, mostly 16 upwards, appears to be an important issue in this context. As explained by a professional from an organization providing support to (former) unaccompanied minors in the field of employment, education and daily life, companies tend to train younger adolescents of an age of 14 or 15:

The opportunities are limited, even if their status makes it possible to have access to the labour market and to a vocational training. They are simply older, most of them over 15 and then, everything is different. Also with regard to make a vocational training [...]. Most of the enterprises rather take younger [adolescents]. Ours are 17, 18, 19. Some enterprises react positively, we have adolescents at

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<sup>137</sup> AT UAMAS 5

<sup>138</sup> AT UAMAS 8

[an Austrian enterprise in the field of telecommunication], they are 19, they started last summer. But it is not in general the way that all [enterprises] take older adolescents. It is difficult to gain a foothold in our educational system, because the ways are limited age-wise. Either you are 14 or 15 and do a vocational training. If you are older, you face difficulties entering the system.<sup>139</sup>

Furthermore, a lower level of **education** (see chapter 4.2.3 for further information on education) on the part of many (former) unaccompanied minors compared to Austrian adolescents, especially those coming from regions affected by conflict where well-functioning school systems may sometimes not be in place, often puts them at a disadvantage when looking for vocational trainings or a job. In this context, a professional from lobby.16 said: *“Their knowledge in English, German and maths is not that good. Thus, it is not that easy to admit them to a vocational training without further ado.”*<sup>140</sup> This perception is shared by a social worker from an educational institute who reports on similar difficulties with identifying suitable vocational formation positions for (former) unaccompanied minors, particularly if they have not acquired a solid education before-hand:

The situation with regard to vocational trainings is not bright. Someone who has only attended a basic education (‘Basislehrgang’) has no chance at the labour market compared to someone who was born in Austria, who went to the ‘Höhere Technische Lehranstalt’ (HTL) for two years and then dropped out, when it’s up to be selected by one of the enterprises who offer really good vocational trainings.<sup>141</sup>

Similarly, several (former) unaccompanied minors with subsidiary protection status or a positive decision in their asylum application expressed insecurity as to whether they would be able to find a vocational training or a proper job in Austria because of their **foreign origin**. They said that although they could start working in theory, they fear being disadvantaged in this regard and explicitly referred to unequal treatment they face versus Austrians or people who have already spent a long time in the country: *“In general, I would like to be a mechanic, but there are already a lot of mechanics in Austria. Thus it is difficult for me to find an appropriate vacancy. I do not have the same chances on the labour market as a local.”*<sup>142</sup> One adolescent referred to the difficult situation of a friend and mentioned that his negative experiences made him doubtful of the realistic chances in the labour market: *“I would like to work in a pharmacy. My friend is also from Afghanistan and has lived here for five years. She received asylum, but it is very difficult to find a job.”*<sup>143</sup>

In addition, the interviews with the professionals revealed difficulties with the **accreditation of vocational trainings acquired abroad**, particularly in the event that Austrian standards (e.g. providing evidence of a training program) are not met:

There are adolescents who come with certain kind of professional education. However, it is very difficult to get them accredited in Austria because it is demanded to prove the curriculum. If you have learnt to be a tailor in Afghanistan for example, then it is very difficult. At the maximum, there is a paper which verifies that this person has learnt to be a tailor, but that’s it.<sup>144</sup>

If structural obstacles are overcome, **unrealistic expectations** regarding employment are another aspect which can complicate the successful integration of (former) unaccompanied minors into the Austrian labour market. A professional from the NGO lobby.16 reports on cases where (former) unaccompanied minors have job-related ideas which do not correspond to the real situation: *“It does often not correspond to reality, what they imagine, when you can earn money here and what one*

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<sup>139</sup> AT CSO 9

<sup>140</sup> AT CSO 9

<sup>141</sup> AT CSO 10

<sup>142</sup> AT UAMAS

<sup>143</sup> AT UAMAS 5

<sup>144</sup> AT CSO 10

*needs to do in order to be able to earn money. They often have a bit excessive perceptions regarding the salary and think that all works without education.”<sup>145</sup>*

The fact that (former) unaccompanied minors in Austria have few possibilities to engage in paid labour is perceived negatively by the adolescents and young adults. Similarly, the ‘godmother’ of an unaccompanied minor from the *connecting people* project reported on positive changes in the well-being of her ‘godchild’ at the point in time when the latter was granted subsidiary protection status and realized that he had more possibilities in the labour market. This assumption is shared by the FRA (2010b:58-59) and Fronck (2010:155-156) who also found that (former) unaccompanied minors see employment as an essential element of their self-perception and who reach the conclusion that having a job can lead to the psychic stability, foster integration and prevent conflicts. In sum, it needs to be assumed that the limited opportunities in the labour market lead to negative feelings and frustration on the part of the (former) unaccompanied minors and tough working conditions for professionals who try to assist these adolescents and young adults, as put into words by a social worker from an educational institute:

Especially when identifying future perspectives, it is very difficult, because we have people who have normal access to the Austrian labour market and then we have people who do not have any access to the labour market at all. That is very difficult for the job orientation or the educational counselling, to develop perspectives, because their perspective would be to make a vocational training and that is not possible. That is difficult for our work, but it is even more difficult for them.<sup>146</sup>

### ***Initiatives for providing (former) unaccompanied minors with professional experience***

The primary research revealed initiatives which aim at fostering the integration of unaccompanied minors into the labour market. The **NGO lobby.16**, for instance, is cooperating with different companies in Austria and attempts to place unaccompanied minors who were granted subsidiary protection or refugee status for vocational training or a job. For (former) unaccompanied asylum-seeking minors who have very limited access to the labour market, lobby.16 tries to arrange voluntary services or so called ‘jobshadowings’, where the respective minor can look over an employee’s shoulder for two weeks at most. As the professionals from this institution indicated, such activities are only a small step towards gaining practical experience but still represent very valuable opportunities for the minors and young adults as they help to identify suitable and interesting occupational fields, to receive feedback on their proper performance and to establish contacts with companies and potential employers.

Another measure in this context are the so-called ‘**production schools**’ (Produktionsschulen). Implemented by the Austrian ‘Public Employment Service’, these schools offer adolescents between the age of 15 and 25 years who face difficulties in finding appropriate vocational training – including unaccompanied asylum-seeking minors and unaccompanied minors with subsidiary protection status– the chance to gain firsthand experience about the working environment in fields such as wooden and metal production, graphics and textiles or informatics.

**VSG Linz factory - production school<sup>1</sup> – experiencing the working environment**

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<sup>145</sup> AT CSO 9

<sup>146</sup> AT CSO 10

VSG Linz factory is the first production school established in Austria. The organisation “VSG -Innovative Sozialprojekte Linz” implemented this originally Danish school model in Austria. The VSG Linz factory is financed by the federal government of Upper Austria and the Austrian Public Employment Service in Linz. The aim of the production school is to provide migrant and non-migrant job-seekers between 15 and 25 with an authentic working environment in order to accredit them with skills and professional abilities. There are six different production workshops – Graphic, Video, Wood, Metal, Textiles, and Creative – from which the participants can choose. The products are manufactured per order whereby the young job-seekers are actively involved in the whole process from the production on to the sale of the goods – as the approach is to learn skills and processes by actively doing. The VSG Linz factory has two sites, can take on 50 participants at once and hosts approximately 120 young job-seekers per year.

<sup>1</sup> For further information see <http://www.produktionsschule.at/>

## 4.2.5 Leisure time

### **Importance of leisure time**

Leisure time was discussed differently by the (former) unaccompanied minors, depending on whether they went to school or participated in an educational measure at the time of the interview or not. The first group explained that they did not have a lot of free time because they spent a considerable part of their week at school or studying: *“I have little free time because I am at school so often.”*<sup>147</sup> The others, in contrast, reported that they had plenty of time for recreational activities. This, however, was not appreciated because of boredom and a lack of meaningful tasks arising thereof. Overall, it became obvious during the interviews that the (former) unaccompanied minors with lots of leisure time were in general less happy with their situation than those who reported to be busy: *“School is a break. It is a break from thinking. It is not bad if you do not have a lot of leisure time.”*<sup>148</sup>

### **Leisure time activities**

In terms of leisure time activities, many of the (former) unaccompanied minors said that they spent the majority of their recreation doing sports. Particularly male respondents explained that they enjoyed playing football or going to the gym. Correspondingly, when one young adult was asked what he likes to do when he has time off, he said: *“I play football with my friends.”*<sup>149</sup> Girls indicated that they liked doing sports like swimming or dancing but also reading books and watching TV. The desk research also revealed the preference of many (former) unaccompanied minors for sports: An evaluation study of the project *connecting people*, carried out by the Department of Educational Psychology at the University of Vienna (University of Vienna, 2010) showed that 33 per cent of the unaccompanied minors who take part in this mentoring programme are also member of an association or a club or at least participate in their activities – mostly in the context of sports: Boys especially like playing football, but also martial arts like Karate and Kung Fu, ball games like basketball, volleyball and tennis or swimming and ice-skating are listed among the preferred leisure time activities of unaccompanied minors in Austria.

Sports is also important in terms of fostering integration as it allows immigrants to engage in a common activity with Austrians (see chapter 4.3.1 for further information on interaction with and integration into the host society), as stated in the Austrian National Action Plan for Integration (Federal Ministry of the Interior, 2010:38). This opinion was shared in an interview with a

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<sup>147</sup> AT F/UAMAS 6

<sup>148</sup> AT UAMAS 1

<sup>149</sup> AT F/UAMAS 4

professional (AT CSO 11) who referred to the importance of creating possibilities for encounters between unaccompanied minors and Austrians in order to foster their integration into the host society. In her opinion, sports seem to be a particularly good opportunity for such interaction. The primary research made apparent that there is a close relationship between the issue of leisure time and the issue of interacting with the local population, because common activities such as sports provide spaces where (former) unaccompanied minors can bond with Austrians. Correspondingly, one young adult who is on a volleyball team said: *“These people are so incredibly lovely. I simply find it wonderful. I am at home!”*<sup>150</sup>

Besides the individual organization of one’s free time, adolescents below the age of 18 are also offered institutionalized forms of recreational activities. According to the Basic Welfare Support Agreement (Art. 7), unaccompanied minors shall be provided with assistance in structuring their daily routine, including leisure activities. In this regard, the accommodation facilities offer different leisure activities such as excursions, going to the cinema or spending one week of holiday in a different region of Austria for the unaccompanied minors they accommodate. As reported by a professional (AT CSO 11), the Don Bosco Flüchtlingswerk organizes excursions for its accommodated minors on a regular basis in order to introduce them to a broad spectrum of leisure activities, like going to the theatre or to concerts. However, the concrete offer depends on the financial and personnel situation of each facility and can vary significantly. In this context, the FRA study (FRA, 2010b:64) found that unaccompanied minors are unhappy about limited possibilities on how to spend one’s leisure time in the Initial Reception Centre Traiskirchen but like the offers of several accommodation centres in the federal provinces.

### ***Financial resources for leisure time***

One general constraint with regard to leisure time relates to the financial resources (see chapter 4.3.4 for further information on support and resources) available for recreational activities of unaccompanied minors. The amount of money provided within the framework of the Basic Welfare for leisure time activities for foreigners who live in organized accommodation facilities is limited to € 10 a month. On the other hand, unaccompanied minors usually only have small amounts of pocket money at their disposal. The CEO of the Don Bosco Flüchtlingswerk reported that individual financial support is very important to fill the minor’s free time with meaningful activities. Due to the average costs for sports activities, unaccompanied minors often rely on the support of the civil society: *“There are 10 Euros per person per month available for the organization of one’s leisure time. You cannot do a lot with this money. You basically rely on volunteers who provide equipment or donations.”*<sup>151</sup> This, in turn, involves huge organizational effort on the part of the accommodation facilities, as the professional explained. In addition, one young adult who receives € 52 pocket money per week, including expenses for food, said that there is no money left for leisure time as he needs to cover the costs for food first: *“With € 52 you cannot live, but still you need to be strong. No money remains for leisure time. Only very few times, and only very little, for example 5 Euros.”*<sup>152</sup> In general, many of the (former) unaccompanied minors indicated that they appreciated the financial support they received but also explained that the amount was not enough in order to be able to pay for fees which are due at different institutions such as gyms, for taking part in courses, for example dancing classes or for purchasing sports clothing: *“Clothes for playing football are expensive. At school, everybody plays without shoes, because they are expensive. [...] You don’t need a lot for playing football, that’s why it*

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<sup>150</sup> AT F/UAMAS 9

<sup>151</sup> AT CSO 11

<sup>152</sup> AT F/UAMAS 1



*[football] is good.*<sup>153</sup> In sum, several interviewees stated that they spent their leisure time doing activities which do not require any equipment and which do not occasion any costs: *“I don’t have enough money for my leisure time. We do things which do not cost anything. We receive 10 Euros pocket money per week. You cannot do a lot with it. Sometimes it’s spent within one day.”*<sup>154</sup> In addition, as reported by the FRA (2010b:38), low amounts of pocket money make it difficult for (former) to afford paying tickets for public transport for travelling to the next city in order to meet up with friends and, for example, to go to the cinema together (FRA, 2010b:38).

### 4.3 Assistance in Integration

This section provides information on how (former) unaccompanied minors experience issues related to integration and interaction, both with regard to the host society and with regard to people sharing the same or a similar cultural background. The section also describes what the adolescents and young adults regard as important support mechanisms in their life as (former) asylum-seeking unaccompanied minors.

#### 4.3.1 Interaction with and integration into host society

##### **Importance of interaction with and integration into host society**

All of the adolescents and young adults who were interviewed for the purpose of this study unanimously expressed a strong wish for getting to know Austrians, for making Austrian friends and for feeling like being part of the Austrian society. Likewise, one respondent said: *“I want to have a lot of contact to many Austrians. [...] I want to integrate with Austrian people. I want to have of contact to Austrian people.”*<sup>155</sup> This is also confirmed by a professional from the NGO lobby<sup>16</sup> and by the head of an accommodation facility for unaccompanied minors, who both shared the impression that meeting with members of the host society is significant for (former) unaccompanied minors, saying: *“I have had the experience that contact is important for them, to get to know each other”*<sup>156</sup>, and stating: *“They are motivated. They want to get to know Austrians.”*<sup>157</sup>

##### **Limited contact to host society**

Effectively, however, only a minority of the respondents reported that they were in contact with the local population and had the possibility to mingle with Austrians: *“I don’t talk to Austrians. There is no contact.”*<sup>158</sup> For many (former) unaccompanied minors, their care workers, teachers and – in some cases – their ‘godparents’ from *connecting people* are the only ‘locals’ they are in touch with, as also stated by one interviewed adolescent: *“I do not have Austrian friends. I have two private tutors and many elder friends. They were civil servants at [my former accommodation facility].”*<sup>159</sup>

In this regard, the professionals stated that it is difficult for (former) unaccompanied minors to establish contact to Austrians for different reasons. One aspect which, according to the consulted professionals, makes it difficult for (former) unaccompanied minors to mingle with the local population is the **missing links to ‘real life’**. In this regard, one social worker referred to the difficult

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<sup>153</sup> AT UAMAS 1

<sup>154</sup> AT F/UAMAS 6

<sup>155</sup> AT F/UAMAS 1

<sup>156</sup> AT CSO 3

<sup>157</sup> AT CSO 11

<sup>158</sup> AT UAMAS 12

<sup>159</sup> AT F/UAMAS 5

surrounding conditions that (former) unaccompanied minors often encounter in comparison with Austrian children and adolescents, such as being placed in special accommodation facilities, having few financial resources for leisure activities at their disposal or not being enrolled in a regular Austrian school: *“If they live in homes [for asylum seekers], then this is a small protected area which does not reflect reality. [...] If you live in a home [for asylum seekers] and if you don’t have money and if you go to school with many other migrants, then it is very difficult to make contact with Austrians.”*<sup>160</sup> Being partly isolated from Austrian society was also mentioned by a young adult: *“Sometimes I feel as if I don’t belong to you [the host society]. And this is difficult.”*<sup>161</sup>

A further obstacle preventing (former) unaccompanied minors from interacting with the local population that was identified by the adolescents and young adults themselves is a **lack of German language skills**. Correspondingly, one respondent said: *“I would like to have more Austrian friends. But my German is still not good enough.”*<sup>162</sup> Another expressed a certain hope of being able to find Austrian friends once his command of German improves: *“I do not have friends from Austria. This could be because I do not know the language that well. [...] But I would like to have Austrian friends. Maybe later, when I am more proficient in German.”*<sup>163</sup> Limited knowledge of the German language was at the same time named as one of the main reasons why the respondents would like to have (more) contact with Austrians; one young adult said: *“It is important to have friends from Austria in order to learn the language”*<sup>164</sup>, and an adolescent stated: *“I want to learn German, that’s why I do not have so many friends from Afghanistan.”*<sup>165</sup> The connection between the wish to mingle with the local population and to improve one’s linguistic proficiency is also shown by the FRA study (FRA, 2010a:27). It states that unaccompanied minors particularly favour meeting and making friends with members from the host society, as this significantly motivates them to learn German in order to be able to better communicate with Austrians, besides improving *“their sense of ‘belonging’”*.

Besides these institutional or practical barriers, **psychological impediments** can hamper (former) unaccompanied minors from establishing contact with Austrians: Fronek (2010:161-165) believes that shyness and restraints on the part of the (former) unaccompanied minors can prevent them from approaching the local community members and lead to greater efforts to strengthen the networks with one’s own community in the host country or provoke social isolation. However, also in cases where the first steps to interact with the host society have successfully been made, emotions of fear and inferiority as well as a lack of self-confidence act as a hurdle and complicate process of interaction: In an interview, a professional (AT CSO 12) reported of cases where (former) unaccompanied minors feel ashamed of being asylum seekers. Correspondingly, a young adult explained that she felt scared of revealing her ‘identity’ to Austrians and did not want her Austrian boyfriend to know that she was an asylum seeker: *“I am afraid when I say that I am a refugee. I fear that the people will say ‘you are nothing’.”*<sup>166</sup>

Another difficulty related to the limited interaction between (former) unaccompanied minors and the host society were revealed by a few adolescents and young adults who reported **negative experiences with the local population** (see chapter 4.2.2 for further information on xenophobia), with one respondent saying: *“It is not always that easy to get to know Austrians because many*

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<sup>160</sup> AT CSO 10

<sup>161</sup> AT F/UAMAS 9

<sup>162</sup> AT F/UAMAS 1

<sup>163</sup> AT F/UAMAS 4

<sup>164</sup> AT F/UAMAS 2

<sup>165</sup> AT UAMAS 5

<sup>166</sup> AT F/UAMAS 9

*people have prejudices against foreigners.*"<sup>167</sup> Situations where (former) unaccompanied minors were treated in an unpleasant way by the host society because of their foreign origin were also reported:

I have had some negative experiences. In the tram, the people look at me in a strange way when I sit next to them. At a metro station, the police once asked my friend to come with them, although he did not have any reason to do so. Only because he was a foreigner, they thought that he was a thief. [...] And one time at the disco, they did not let me in.<sup>168</sup>

In addition, two young Muslim women mentioned that they felt being looked at in a strange way when they wear a scarf: *"Without scarf, you go normal. But it makes a great difference if you wear a scarf or not."*<sup>169</sup> Similar incidences were identified by the FRA: The FRA study (FRA, 2010b:56) revealed a number of cases of racism by pupils against unaccompanied minors. In addition, Fronck (2010:161-162) stated that unaccompanied minors often have the impression that Austrian children and adolescents treat them with little interest.

### ***Initiatives to counteract limitations of interaction***

In order to counteract these challenges regarding the establishment of contact between (former) unaccompanied minors and the host society, several professionals said that it was of tremendous importance to institutionally support the process of interaction between the young asylum seekers and the Austrian population. They suggest initiatives on different levels:

A social worker of an educational institute said that better **access to housing, employment, schools as well as clubs and associations** (for more information on accommodation, employment and education please see chapters 4.2.1, 4.2.3 and 4.2.4) would help the adolescents to meet and get in touch with the local community more easily. In this regard, he said: *"I think that it would be beneficial if they had access to all possibilities, which ranges from their accommodations to their place of work."*<sup>170</sup> This was confirmed by the small number of respondents who either went to a regular Austrian school together with Austrian pupils or who played in a sports club and who said they were in regular contact with Austrians.

Others highlighted the meaning of **organized meetings between (former) unaccompanied minors and their Austrian peers** which foster exchange and reduce prejudices. The interviewees from the Don Bosco Flüchtlingswerk reported that they set up projects and excursions regularly where Austrian youth groups and scouts come to their accommodation facility and spend an afternoon or an evening together with unaccompanied minors. They mentioned sports as a particular good opportunity for (former) unaccompanied minors to mingle with Austrian peers: *"Sports and football is always great. It is good if there is a challenge in the context of a match. It is very linking between the cultures, because there it does not matter where you come from."*<sup>171</sup> The potential character of sports as a binding element between people from different nationalities was confirmed by several of the (former) unaccompanied minors who reported that they got to know Austrians in the context of practising sports in a club or because they regularly went to public sports grounds, with one respondent who forms part of a volleyball team saying: *"These people are so incredibly lovely. I simply find it wonderful. I am at home."*<sup>172</sup>

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<sup>167</sup> AT F/UAMAS 3

<sup>168</sup> AT F/UAMAS 2

<sup>169</sup> AT F/UAMAS 7

<sup>170</sup> AT CSO 10

<sup>171</sup> AT CSO 11

<sup>172</sup> AT F/UAMAS 9

In addition, the professionals from civil society organizations voiced the need for **special projects** with the objective to facilitate the integration of unaccompanied minors into the Austrian society. One of the current projects in this regard, implemented by the NGO asylkoordination österreich, is presented below:

#### **Connecting people**

The project *connecting people*<sup>1</sup> was initiated in 2001 with financial support of UNICEF Austria and is run by the nongovernmental organization “asylkoordination österreich”. It aims at providing unaccompanied minors and young adult refugees with a long-term and stable relationship with a so-called ‘Pate’/‘Patin’ (‘godfather’/‘godmother’) who supports unaccompanied minors in their daily lives and who provides orientation and a sense of secureness. Activities are very broad and involve, private tutoring and support with learning German, leisure activities, support during the asylum procedure and other administrative procedures, finding a job etc. One main objective is to make the unaccompanied minor or young adult refugee familiar with the culture of the host country. Before assigning a ‘Pate’/‘Patin’ to an unaccompanied minor, the ‘Pate’/‘Patin’ undergo a 16 hours’ preparatory course. Throughout the ‘godparenthood’ the project offers additional support and monitoring via regular exchange and information meetings, further trainings and social events for both ‘PatInnen’ and unaccompanied minors .

<sup>1</sup> For further information see and <http://www.connectingpeople.at/>

Similar projects are further implemented by the NGOs Volkshilfe Flüchtlings- und MigrantInnenbetreuung (Project *dUNDu*), Diakonie Flüchtlingsdienst (Project *Be Friends*) and Caritas Graz (Project *Sport – Integration – Qualification – SIQ!*) (EMN, 2009:41; Fronek, 2010:167). Another project was set up by the organization lobby.16 where students offer private lessons to (former) unaccompanied minors with learning difficulties. Apart from educational support, it fosters the interaction between the host society and (former) unaccompanied minors, as explained by one of its initiators: *“This private tuition is not only meant to support studying. It facilitates the contact to Austrians, to get to know a different environment, because they sometimes also meet at the home of the volunteer. This is an important contribution to integration.”*<sup>173</sup> The tremendous importance of such initiatives for the social interaction of some unaccompanied minors with the local community was also stressed by another professional (AT CSO 5) who particularly referred to the mentoring and buddy systems as projects of good practice. However, he added that such an additional network is mainly made accessible to the unaccompanied minors who live in or near Vienna, as in the other federal provinces such projects often do not exist yet.

#### **4.3.2 Interaction with and Integration into ‘ethnic community’**

##### **Importance of interaction with and integration into ‘ethnic community’**

In general, many of the (former) unaccompanied minors, particularly male interviewees from Afghanistan and female interviewees from Eastern Africa, confirmed that they had relationships with other (former) unaccompanied minors originating from the same country or region. Also the ‘godmother’ of an Afghan minor stated: *“They [the unaccompanied minors] go to the gym together or play football on the Danube island [...]. Or they meet in [the centre of the city] and go to a pub.”*<sup>174</sup> However, it seems that this often results from the personal living conditions of these adolescents and young adults rather than the well-directed intention to have friends from the same or a similar

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<sup>173</sup> AT CSO 3

<sup>174</sup> AT CSO 8

cultural background. In correspondence with this assumption, one young adult said: *“It is coincidence that my friends also come from Afghanistan.”*<sup>175</sup>

### **Contact with other (former) unaccompanied minors and ‘ethnic community’**

First and foremost, it appears to be the circumstance that (former) unaccompanied minors often **live together** (see chapter 4.2.1 for further information on accommodation) with other (former) unaccompanied minors who come from the same country of origin, which makes it very likely that they will mingle with ‘compatriots’. In an interview, the coordinator of asylkoordination österreich (AT CSO 5) explained that, depending on the pedagogical concept of the different facilities, it is possible that all residents of a certain housing share the same nationality. As an example, he referred to an accommodation facility for unaccompanied minors in Lower Austria: *“For instance in Emmaus, there are only Afghans.”*<sup>176</sup>

The group of (former) unaccompanied minors in general is strongly interlinked, regardless of the cultural, national or ethnic background of an adolescent or a young adult. Living in the same accommodation facility, going to the same school or attending the same language course often results in interaction among members of this group of asylum seekers such as playing football together, for instance. This interaction sometimes needs guidance, as an interview with the head of an accommodation facility revealed: *“In our house, it is important that people with different cultural backgrounds live together and also learn how to deal with misunderstandings.”*<sup>177</sup>

However, as the desk research revealed, there are also cases where the place of residence of (former) unaccompanied minors counteracts the establishment of contact with people from the same country or sharing the same cultural background: If adolescents or young adults are placed in structurally underdeveloped regions, it can be the case that no such communities are available (Fronek, 2010:124, 128-129). This is demonstrated by one young adult who participated in this study and who reported severe difficulties in meeting with her ‘ethnic community’. Due to relatively low numbers of ‘compatriots’ residing in Austria, she stated that she would like to go to Germany, where such meetings take place regularly. This, however, is not possible because of her legal status (see chapter 4.1.1 for further information on the asylum procedure) in Austria: *“In Germany, there are many people [from my country], but I am not allowed to go there.”*<sup>178</sup>

The Arbeitsgruppe (AG) Menschenrechte für Kinderflüchtlinge (n.p.) favours the accommodation of unaccompanied minors in **urban areas**, where the process of getting to know and interacting with people from the same cultural background and also with the host society is easier. With a similar approach, the “Statement of Good Practice” (Separated Children in Europe Programme, 2006:37, 50) suggests that the host country should facilitate the process of integration into their ‘ethnic community’ by allocating accommodation facilities with respect to the cultural and ethnic background of the minor.

Apart from the contact which results from sharing the same place to live, several (former) unaccompanied minors mentioned that it was sometimes easier to be together with people from the same ‘ethnic community’ as they could communicate in their language and did not **face linguistic barriers**: *“It is not important [to have friends from Afghanistan], but it is good. I can speak in Farsi.”*<sup>179</sup> However, this was not seen as advantage by all of them. Different minors and young adults said that

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<sup>175</sup> AT F/UAMAS 1

<sup>176</sup> AT CSO 5

<sup>177</sup> AT CSO 11

<sup>178</sup> AT F/UAMAS 7

<sup>179</sup> AT UAMAS 1

they would prefer to speak their mother tongue less and to practice German more. In this regard, one respondent mentioned: *“I want to learn German, that’s why I don’t want to have so many Afghan friends”*, and another one said: *“Yes, we are in touch, but it is not good that we only speak in Dari.”*<sup>180</sup>

In addition to the issue of language, the fact that (former) unaccompanied minors often share **similar problems**, such as passing through the asylum application, being separated from their family and having to orient themselves in an unknown environment in many cases acts as connecting link. According to the experience of a ‘godmother’ of an unaccompanied minor, it seems to be of great importance for the minors to interact with peers from the same country of origin for these very reasons.

It is definitely not that easy for him to gain ground [in Austria] and of course he has got his community with the same problems and the same language. There he is surrounded by many Pashtuns, there he speaks the same language [...] and I definitely think that this is very important for him [...].<sup>181</sup>

Interestingly, a social worker who is in contact with (former) unaccompanied minors on a daily basis referred to changes in the role that one’s own ‘ethnic community’ plays depending on the adolescent’s or young adult’s **length of stay in Austria** and the progress he or she makes in terms of going to school and learning German:

At the beginning of their school career, it is more important. The better they find their way around school, the more they are able to speak to other people, the more self-confident they get, [the contacts to people with the same cultural background] lose its importance. That needs time.<sup>182</sup>

Notably, a small number of (former) unaccompanied minors reported that they had had negative experiences with people from their own ‘ethnic community’ and therefore preferred not to be in contact with them. Reasons for such ‘breaks’ include a high level of competition among the members of the same ‘ethnic community’, primarily with regard to receiving asylum in Austria: *“[A person I know] has now received asylum and she doesn’t greet me anymore. The people then think ‘I am the best’.”*<sup>183</sup>

### **4.3.3 Social orientation and training**

#### **Assistance for social orientation and training**

For (former) unaccompanied minors, assistance in orientation concerning legal, cultural and other aspects of their life in Austria is partly provided within the frame of specific projects which are often developed and implemented by civil society organizations. Against this background, the desk research revealed that the daily work of accommodation facilities hosting unaccompanied minors as well as initiatives by NGOs such as *asylkoordination österreich* with its project *connecting people* and *lobby.16*<sup>184</sup> with the organization of intercultural events such as *intercultural photo shootings* or the cooking sessions *come together, cook together*, among others, are of special importance.

#### **Orientation difficulties**

Despite these initiatives, basically all of the (former) unaccompanied minors who spoke about this issue reported difficulties with finding their way in the widely unknown society and culture: *“I often*

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<sup>180</sup> AT F/UAMAS 3

<sup>181</sup> AT CSO 8

<sup>182</sup> AT CSO 10

<sup>183</sup> AT UAMAS 3

<sup>184</sup> [www.lobby16.org](http://www.lobby16.org)

*do not know how to behave because Austrian culture is foreign to me.*<sup>185</sup> This was also true because many of them indicated that they have had no information about the country before coming to Austria: *“I did not know anything about Austria before coming here. At school in Afghanistan I only learnt something [about Austria] in geography.”*<sup>186</sup> In this context, several adolescents and young adults stated that it was not their intention to come to Austria. While trying to travel to England, one young adult made a stop in Austria only accidentally: *“In Salzburg I asked a woman in English in which country I was. She said ‘Austria’. At first, I understood ‘Australia’. I did not know anything about Austria.”*<sup>187</sup> In general, the majority of the adolescents and young adults stated that they did not have the information they would like to have about Austria and that they feel badly informed: *“I do not have a lot of information about Austria and its culture. It would be better if I had more information.”*<sup>188</sup> As the interviews reflected, this applies to a variety of topics such as the asylum procedure and responsibilities within the asylum system as well as to cultural-specific issues and the challenge how to act in a society and a culture which is, in many facets, unfamiliar to the (former) unaccompanied minors who mostly come from other parts of the world.

### **Compensation of missing information**

The (former) unaccompanied minors try to compensate for this lack of information mainly through approaching their respective care workers (see chapter 4.2.1 for further information on accommodation and care). One young adult explained: *“If I now have questions or doubts, then I ask my care worker. She gives the information I need”*<sup>189</sup>, and another one stated: *“I need a lot of information. That is important. When I need information, then I go to my care worker.”*<sup>190</sup> This was confirmed by a professional from an accommodation facility for unaccompanied minors who explained in an interview that they organized meetings on a regular basis where the adolescents can ask questions and discuss topics of interest under the guidance of the staff. One young adult, however, stated that he did not have anyone to refer to in the case of doubts or insecurities: *“No, nobody can answer my questions. The care workers in the accommodation facility can’t answer them either. And I hardly understand the care workers.”*<sup>191</sup> Notably, this respondent lived in an accommodation facility for adult asylum seekers where care is less intensive than in facilities for unaccompanied minors. In sum, however, it appears that (former) unaccompanied minors indeed acquire crucial information to a great extent through ‘informal’ channels and less within the context of official measures.

## **4.3.4 Support and resources**

### **Person-related resources**

Most of the (former) unaccompanied minors who participated in this study referred to support they receive in terms of personal assistance when speaking about important resources. The **care workers** were often described as very helpful and kind and mentioned as one of the most important resources these adolescents and young adults can draw upon: *“I can rely on my care worker. He wakes me up when my alarm clock does not work. He goes with me to the doctor.”*<sup>192</sup> Apart from care

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<sup>185</sup> AT UAMAS 6

<sup>186</sup> AT F/UAMAS 2

<sup>187</sup> AT F/UAMAS 3

<sup>188</sup> AT F/UAMAS 4

<sup>189</sup> AT F/UAMAS 6

<sup>190</sup> AT UAMAS 1

<sup>191</sup> AT F/UAMAS 8

<sup>192</sup> AT UAMAS 1

workers, also the **'godparents' from the project connecting people** are seen as precious resource, as illustrated by the following quotes: *"My 'Patin' has always helped me. Without her, many things would not have been possible"*<sup>193</sup> or *"If things become difficult, then my 'Patin' helps me. It is really good that I have her."*<sup>194</sup> Correspondingly, when asked about his 'godmother', one respondent said: *"That is no 'Patin'. She is my mother."*<sup>195</sup> Furthermore, **teachers, tutors and volunteers** who help (former) unaccompanied minors to succeed at school or who simply make them feel welcomed and precious were mentioned as important source of support. The finding that different professionals who are in regular contact with (former) unaccompanied minors in Austria and who maintain a stable relationship with them play a crucial role in terms of support and resources for this group of adolescents and young adults was corroborated by a statement of a social worker from a Viennese educational institute consulted for the purpose of this study: *"My colleagues and I are contact persons for any concern they have. They approach us with problems related to their living situation, financial problems as well as personal problems."*<sup>196</sup>

### **Financial resources**

In addition to person-related support mechanisms and resources for (former) unaccompanied minors, the issue of financial support and resources was also discussed by the professionals. However, they referred to this topic more in terms of an area where adequate resources are missing rather than mentioning it as existing support mechanism for (former) unaccompanied minors in Austria. One respondent said that unaccompanied asylum-seeking minors are disadvantaged in terms of allocated **daily allowances** compared with Austrian adolescents living in accommodation facilities:

The best indication are the daily allowances which are granted. For [Austrian] adolescents in [...] facilities they usually amount to € 120. For unaccompanied minors, they start with € 37 and reach up to € 70 as a maximum, thus they are significantly lower. [...] The [Austrian] adolescents who are in accommodation facilities in Austria partly have noticeably social deficits, so it is possible to reason that they have special needs and that they need special care. But in reverse, it would also be necessary to pour into language acquisition of unaccompanied minors and to support them in this regard or regarding the process of orientating themselves in society.<sup>197</sup>

According to the consulted professionals (AT CSO 12), limited amounts of money available for supporting unaccompanied minors in Austria do not only impact their **care and education** but also the possibility to call upon interpretation services for **psychological help**, if needed and their nutritional situation. As the CEO of the Don Bosco Flüchtlingswerk explained, they often depend on donations or additional project funding to cover expenses.

### **Religion as resource**

Apart from person-related and (lacking) financial support mechanisms, different (former) unaccompanied minors said that they viewed religion (see chapter 4.2.2 for further information on religion) as a very important resource to draw hope from: *"God has helped me to come here and he will continue to help me."*<sup>198</sup> Likewise, one girl said: *"We think that if we pray, he hears us. We think that if we are sad, he hears us."*<sup>199</sup>

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<sup>193</sup> AT F/UAMAS 1

<sup>194</sup> AT F/UAMAS 4

<sup>195</sup> AT UAMAS 8

<sup>196</sup> AT CSO 10

<sup>197</sup> AT CSO 5

<sup>198</sup> AT F/UAMAS 5

<sup>199</sup> AT F/UAMAS 7



### Turning 18

Turning 18 is related to the loss or reduction of important support mechanisms, as revealed by different adolescents who stated that they were concerned about reaching majority age: *“I am afraid of my 18<sup>th</sup> birthday. My care worker now helps me, she calls at school and at the doctor. Then I have to do everything by myself. [...] I am worried when I think that I will have to care for everything by myself.”*<sup>200</sup> These changes, however, are not experienced in an equally negative way by all of the (former) unaccompanied minors. One young adult who mentioned that he had always been very independent did not recognize a deterioration of his situation with regard to support when he reached adulthood: *“No, I am on my own. I have always been alone. I think it is better this way. For me, nothing has changed [with reaching majority age]. Before, I did everything alone and now I do everything alone too.”*<sup>201</sup>

## 4.4 Plans for the future

This section describes the plans for the future that were shared with the adolescents and young adults during the interviews.

In general, the future appeared to be a very important topic for almost all of the (former) unaccompanied minors. When asked to choose a subject to start with, many of the respondents initiated the conversation by talking about the significance of the future.

Although the Basic Welfare Support Agreement, Art. 7 stipulates that unaccompanied minors shall be supported in the clarification of future perspectives, the development of such plans is not institutionalized and rather depends on the commitment of individuals who, within the framework of projects such as *connecting people* and from lobby.16, assist the adolescents and young adults with establishing prospects, for example regarding their educational and professional future.

In general, unaccompanied minors tend to have very individual plans for the future. The FRA (2010b:55) as well as Fronek and Messinger (2002:121) reveal that they are often related to **education** (see chapter 4.2.3 for further information on education). This was confirmed by the primary research where the (former) unaccompanied minors tended to centre their future plans very much on educational issues. In this regard, one respondent who participated in a ‘Hauptschulabschlusskurs’ said: *“I want to pass my ‘Hauptschulabschluss’. And I want to get good marks.”*<sup>202</sup> Many of the respondents expressed their wish to go to school, to learn a lot and to get a good education in order to be able to stand on their own feet. Some said that they aspire to go to university and to study subjects such as law, medicine, social work or psychology.

Notably, the wish to receive a good education is also related to the aim of different respondents **to support other people in need**. One adolescent for instance mentioned that she could imagine returning to her country of origin in the future to provide assistance: *“Maybe I will go back to Somalia and help other people.”*<sup>203</sup> A young adult who had been granted asylum in Austria said that he would like to get a good job and to have a good income in order to be able to share with others: *“I want to become a rich man, then I will help the poor people.”*<sup>204</sup> During the conversations with the

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<sup>200</sup> AT UAMAS 5

<sup>201</sup> AT F/UAMAS 3

<sup>202</sup> AT F/UAMAS 8

<sup>203</sup> AT UAMAS 12

<sup>204</sup> AT F/UAMAS 1

(former) unaccompanied minors it became apparent that the wish to support others also arises from the circumstance that several of the respondents would like to give back the solidarity they feel they have received to some extent from different people and, seen on a more structural level, from Austria as a whole: *“I need to do a bit for this city. If I live here, then I need to do a bit for this city.”*<sup>205</sup>

Plans for the future in terms of **professional aspirations** (see chapter 4.2.4 for further information on employment) were also shared by different respondents. Notably, it turned out that many of them make respective plans depending on what they perceive as possible and promising and often do not take into account their own personal dreams and desires. Correspondingly, one young adult explained that she would like to become a nurse, explicitly stating that *“this is what is needed in Austria”*<sup>206</sup>.

Apart from their future dreams with regard to education, employment and supporting others, nearly all of the adolescents and young adults voiced a big **hope for receiving a permanent residence permit in Austria** (see chapter 4.1.1 for further information on legal procedures). However, it also seems that the asylum procedure is the issue which mostly prevents the minors from making plans. Likewise, different interview partners explicitly stated that it is difficult to make plans not knowing whether their claim for asylum will be complied with or not: *“My future is still insecure. I cannot plan my future.”*<sup>207</sup> Accordingly, different respondents reported feeling paralyzed given the insecurity they feel regarding the asylum procedure and their future: *“I don’t know exactly whether I can stay here or not. I want to stay here. That oppresses me when I want to do something. That makes me a bit sad always.”*<sup>208</sup> Also the FRA (2010a:6) reported that many unaccompanied minors do not feel able to make plans for the upcoming years and suggest that this attitude derives from an intense burden experienced because of the unawareness concerning their legal status. In correspondence with these findings, it became obvious when speaking to the adolescents and young adults that the former unaccompanied minors who had received asylum regarded their future as significantly more positive than the respondents who were still waiting for a notification on their asylum application and who had received a negative decision in the first instance, respectively.

**Family reunification** (see chapter 4.1.3 for further information on family reunification), preferably in Austria, was another wish that was voiced by several of the interviewees.

Besides educational, professional, personal and asylum-related issues, almost all of the adolescents and young adults stressed that they would like to have a **normal and calm life** which, according to their definition, comprises a nice place to live, friends and/or a family and a job: *“I want to live well. And stay somewhere, like a normal place. [...] If you can get a house, a room for yourself, if you can work for yourself, cook for yourself, get somewhere where people can visit you.”*<sup>209</sup> Taking into account that many of them come from regions affected by conflicts, this shows that their perceptions of a ‘good future’ are possibly influenced by what they may have missed in the past.

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<sup>205</sup> AT UAMAS 8

<sup>206</sup> AT F/UAMAS 7

<sup>207</sup> AT F/UAMAS 9

<sup>208</sup> AT UAMAS 10

<sup>209</sup> AT UAMAS 13

## 5 Conclusions

### 5.1 Good practices for assisting (former) unaccompanied minor asylum-seekers

#### 6.1.2. Good practices identified from interviews with professionals

Evidence on what are considered to be good practices can be drawn from the interviews conducted with professionals in the field of (former) unaccompanied minors. Notably, most of the interviewees referred to good practices in the context of integration, social orientation and training and support of (former) unaccompanied minors when asked for areas or initiatives which, according to their expertise and impressions, work particularly well for (former) unaccompanied minors in Austria and can be seen as a good practice models. As a general remark, however, almost all of the respondents wished to express that although there are mechanisms which could be called good practices, much still needs to be done in order to be able to say that things work really well: “*There are some models which are good, which try to support the (former) unaccompanied minors [...]. But more needs to happen, we do not have enough of them.*”<sup>210</sup> Furthermore, and along a similar note, several professionals stressed that they perceive the examples they mentioned as good practices, but not as best practices.

- **Integration, social orientation and training and support and resources for unaccompanied minors**

The majority of all interview partners found that ‘godparenthood’ or mentoring projects are a good practice regarding integration, social orientation and training as well as support of (former) unaccompanied minors, which corresponds with the findings from the EMN report (2009:47-50). In this regard, the project *connecting people* from the asylkoordination österreich was mentioned as a particularly good practice in five out of nine interviews. One interview partner stated:

The godparenthood of *connecting people* is an instrument with a really successful outcome, I think. The unaccompanied minors have intensive contact with families or godparents who also pass cultural and social information on to them. This is the best way to become integrated.<sup>211</sup>

Such statements show that the project *connecting people* is not only seen in a very positive way because of the fact that they provide individual support to adolescents and young adults who, in many cases, are affected by loneliness and a lack of persons of trust they can turn to in any situation, but also because they help the (former) unaccompanied minors to orientate themselves in a new socio-cultural environment and to find their way in a largely unknown country and a phase of life which is characterized by insecurity.

Beyond the main official aim of *connecting people* to establish a long-term and stable relationship between (former) unaccompanied minors and a ‘godparent’ who provides support, orientation and safety to the former, a further aspect which qualifies this project as good practice in the context of (former) unaccompanied minors in Austria was revealed in an interview with two professionals from

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<sup>210</sup> AT CSO 9

<sup>211</sup> AT GOV 2

the Don Bosco Flüchtlingswerk. They both stated that having a ‘godparent’ is an enormous resource for unaccompanied minors when they are in the process of becoming adult:

That’s what I experience. The boys who have had a godparent have more opportunities. When they are confronted with finding a way through the complex bureaucratic system, to find ideas concerning education or internships or a flat. Then, this is always a very special resource in addition to the relationship which is already a resource itself.<sup>212</sup>

Thus, it can be assumed that the crucial phase of reaching adulthood being an unaccompanied minor is significantly alleviated by the assistance of ‘godparents’, a circumstance which further strengthens the character of mentoring or ‘godparenthood’ projects and, more specifically, *connecting people*, as good practice examples.

Apart from the ‘godparenthood’ and mentoring projects, a further initiative in the context of integration and support provision, the so-called project ‘Interface’<sup>213</sup>, was also referred to as good practice by one of the interviewed experts<sup>214</sup>: In line with the initiative’s main aim to foster dialogue and good social coexistence between all communities, to support cross-social integration of children, adolescents and adults with a migrant background and to provide them with basic and key competences, Interface Vienna offers educational, information and counselling measures, and particularly provides integration counselling for persons entitled to asylum or holding a subsidiary protection status.

- **Overall living conditions**

On a more general level, the existence of the Basic Welfare Support, which was introduced in May 2004 and which strongly determines the overall living conditions of (former) unaccompanied minors who are seeking asylum in Austria was evaluated as good practice by one interviewed professional:

Sure, there are still shortcomings, but the idea of receiving at least minimal basic welfare support as asylum applicant is a great thing. [...] Even if there is much in need of repair – also in times of inflation, the daily rates have not changed – it is a great thing that German language courses, school attendance, for example, are regularized.<sup>215</sup>

Likewise, another professional who has been observing the situation of (former) unaccompanied minors in Austria for years said that positive developments started with the implementation of the Basic Welfare Support, although he also finds that there is still a long way to go: *“There are some areas where positive developments have taken place, although I need to say that we have not gotten that far so that we could say that it is alright. We have advanced with regard to lodging.”*<sup>216</sup>

The opinion that housing and care for unaccompanied minors has changed for the better since the introduction of the Basic Welfare Support was also mentioned by one professional working at an accommodation facility for unaccompanied minors: *“The care provisions have improved a lot since 2004 because of the Basic Welfare Support.”*<sup>217</sup> In sum, eight out of 13 professionals who were consulted for the purpose of this study highlighted the care provisions for unaccompanied minors when they were asked for practices which they perceived as working well.

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<sup>212</sup> AT CSO 11

<sup>213</sup> <http://www.interface-wien.at/>

<sup>214</sup> AT CSO 13

<sup>215</sup> AT GOV 2

<sup>216</sup> AT CSO 5

<sup>217</sup> AT CSO 12

One restriction with regard to calling the care for unaccompanied minors a good practice in the context of the implementation of the Basic Welfare Support in 2004 was brought up by one interviewee who, due to her job, experiences the quality of these provisions on a daily basis. She acknowledged that the aforementioned improvements have taken place, but also emphasized that limited financial resources which significantly fall below the finances assigned to the care of national minors reduce the potential character of care provisions in Austria as a good practice:

The money which we receive for the adolescents is different from what is assigned to Austrian adolescents, well, it is much less. I think what is excellent is that most of the organizations are highly motivated to dedicate themselves to the interests of the adolescents as much as possible with the money they receive. I experience it at our house - the motivation of the staff is amazing. Nonetheless it is not a good practice, because if it was one it would have to be sufficiently funded. But that is not the case. We all rely on donations, additional money from projects.<sup>218</sup>

- **Education**

Projects and initiatives which advance and support the education of (former) unaccompanied asylum-seeking minors were named as a good practice by three of the interviewed professionals. In this context, one respondent stated: *"I think that particularly [projects like] the godparenthood, lobby.16 or [education-related] buddy systems, that is educational support measures of this kind, are really, really important."*<sup>219</sup> Taking into consideration that these existing initiatives have a strong focus on the provision of tailor-made educational-related assistance through individual persons – often volunteers – it is mainly the commitment of individuals significantly contributing to the facilitation of education of these adolescents and young adults which is classified as a good practice in the context of enhancing the well-being and future perspectives of (former) unaccompanied minors.

### **6.1.3. Good practices identified from interviews with (former) unaccompanied minors**

Adolescents and young adults who were consulted for the purpose of this study did not mention special projects, measures or initiatives when asked for aspects related to their life as (former) unaccompanied minors in Austria which, according to their personal experience, work particularly well. However, several of them referred to different areas of life which they found to be satisfying while discussing the positive and the negative facets of their current living situation. Not surprisingly, they did not apply the technical term 'good practices' as such but used their own words to express that there are some practices, or, in a more general sense, certain issues which they perceive as good and which are therefore included in this section. It is remarkable that the majority of such comments referred to the topics of education and support and resources as well as to overall living conditions in Austria.

No differences could be found between the responses of unaccompanied minors and young adults who came to Austria as unaccompanied minors but who, in the meanwhile, have reached majority age. However, it became obvious that the respondents who are former unaccompanied minors in the sense that they had received a permanent residence permit for Austria basically considered the circumstance of having been granted asylum as a 'good practice', while all respondents who were still waiting for a final decision on their application expressed a much more critical view on topics related to the asylum procedure.

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<sup>218</sup> AT CSO 12

<sup>219</sup> AT CSO 5

Overall, the (former) unaccompanied minors only mentioned a few things which they perceive to work well and which could be defined as a good practice from their point of view. On the contrary, some explicitly said that negative aspects outweigh the positive ones. One boy stated: *“Many more things are bad than good.”*

- **Education**

Several respondents referred to schooling when asked what they like about Austria and which aspects of their lives as (former) unaccompanied minor are good and satisfying,. One interviewee, who had arrived in Austria only a short time before the interview, immediately started speaking about the issue of education while explaining what he liked about his current living conditions: *“I came to Austria three months ago. What I like is my school.”*<sup>220</sup> In addition, one young adult (AT F/UAMAS 1) who shared his spontaneous associations with certain dichotomies such as good and bad as special methodological tool included in the research referred to education and schooling twice as positive examples of his situation in Austria.

Different adolescents and young adults stressed that they appreciated the possibility to learn something and explicitly said that this was an opportunity which they had not had before: *“I know that now I have a chance which I never had in my life. This is studying.”*<sup>221</sup> In general, it seems that the fact that education was considered to be good by many (former) unaccompanied minors in Austria is not completely independent from what these adolescents and young adults had experienced in their country of origin and during their migration process, and from the living conditions they had faced in the past. In this regard, a young adult said: *“In Afghanistan I could not learn or go to school. Now I can do everything. Here is freedom. If they know that I want to study, they help me.”*<sup>222</sup> It can thus be assumed that the reaction of defining schooling and education or, more precisely, the possibility to actively make use of offers in this regard, as something good or valuable on the part of the (former) unaccompanied minors, is influenced by their previous and, in this particular case, worse experiences.

Another reason why different (former) unaccompanied minors found schooling and education to be an area of ‘good practice’ is the fact that going to school often means being busy and occupied in a meaningful way. In this regard, one respondent who showed himself to be very enthusiastic about his current educational situation said: *“The special thing is when you get up early and go to school. We take the train together. You have a mission. You go to school. Every day you’ve got to do something you see yourself – you are something [...]”*<sup>223</sup>

- **Support and Resources**

A further aspect the (former) unaccompanied minors appeared to be happy with in Austria is the personal support they receive from different groups of individuals. This is illustrated by the statement of a young adult after having been asked what she likes about Austria: *“First and foremost the people. They are so lovely.”*<sup>224</sup> When asked for an association with the term ‘positive’, she added: *“The people. They love me so much.”*<sup>225</sup>

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<sup>220</sup> AT UAMAS 2

<sup>221</sup> AT UAMAS 13

<sup>222</sup> AT F/UAMAS 1

<sup>223</sup> AT UAMAS 13

<sup>224</sup> AT F/UAMAS 9

<sup>225</sup> AT F/UAMAS 9

The care workers were described in a very positive light. In this regard, one adolescent mentioned: *“The care workers are doing a really good job. They care for us very well. They give us assistance.”*<sup>226</sup> Similarly, a young adult, when thinking about the care workers he had at his previous accommodation facility, said: *“The care was nice. They always helped me.”*<sup>227</sup>

Teachers and classmates were also highlighted by some respondents as a positive element of their life as (former) unaccompanied minors in Austria: *“My school is simply wonderful. First of all, I like my teacher. She is really amazing. Also my classmates are very nice.”*<sup>228</sup>

In addition and in correspondence with the opinion of many professionals consulted for the purpose of this study, different respondents mentioned their participation in the *connecting people* project as ‘a very good thing’ and stressed that they received valuable support from their ‘godparents’, especially in terms of emotional assistance. One respondent stated that she viewed her ‘godparents’ as real parents and expressed how this makes her feel happy: *“When I say mummy or daddy, I really feel whole/full. I haven’t said that for a long time.”*<sup>229</sup>

From a more global perspective, different respondents stated that they like Austrians in general: *“I like the people in Austria. The people at school, the teachers, the care workers. I have been in Austria for three months and I think that Austria is good. I can’t think of anything what I don’t like, except the weather maybe.”*<sup>230</sup>

It can be concluded that the provision of personal support that (former) unaccompanied minors receive from people they are surrounded by on a regular basis is a practice which the adolescents and young adults perceive as good.

- **Overall living conditions**

The overall living conditions were also referred to by several of the (former) unaccompanied minors when they spoke about ‘good practices’ in Austria. They mentioned freedom and security in particular, and one young adult said: *“What I like here is democracy, the personal freedom.”*<sup>231</sup> Notably, the majority of the interview partners who expressed their satisfaction with the situation in Austria in general came from parts of the world affected by conflict. Correspondingly, when asked whether he liked Austria, one respondent said:

Yes. If you want to reach something here, then you’ve got the possibility to do so. You can be sure that there is no war and that the people do not interfere in personal affairs. It’s also good that Austria is a welfare state and that people receive support if they are in need.<sup>232</sup>

This statement shows that not only the general living conditions in terms of a politically stable and peaceful atmosphere, but also the provision of public assistance to individuals is seen as something positive by (former) unaccompanied minors in Austria.

## 5.2 Key Gaps in assisting (former) unaccompanied minor asylum-seekers

### 6.2.1. Key gaps identified from interviews with professionals

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<sup>226</sup> AT UAMAS 11

<sup>227</sup> AT F/UAMAS 2

<sup>228</sup> AT F/UAMAS 9

<sup>229</sup> AT F/UAMAS 9

<sup>230</sup> AT UAMAS 1

<sup>231</sup> AT F/UAMAS 2

<sup>232</sup> AT UAMAS 6

The interviews with the professionals were often characterized by the spontaneous expression of dissatisfaction with different key areas in the context of (former) unaccompanied minors in Austria, without having been explicitly asked about deficiencies. The majority of critique related to topics such as the asylum procedure, education, employment, financial resources, integration and turning 18. The issues that prevailed in the consultations and which appeared to be of special importance for the consulted experts are presented below. Further shortcomings which, however, were not defined as key gaps, are presented and analyzed in respective sections of chapter four.

- **Asylum Procedures**

Three professionals (AT CSO 5, AT CSO 9, AT CSO 13) interviewed for the purpose of this study mentioned the asylum seeking procedures when they were asked for areas that they perceive to be deficient in the context of the situation of (former) unaccompanied minors:

With regard to the first interrogation and, more concretely, concerning the content and its further use, a legal adviser mentioned the following shortcoming: *“On the one hand, not enough importance is given to the reasons for flight during the first interrogation, but then again the first interrogation is decisive during the consecutive procedure for the credibility [of the asylum applicant].”*<sup>233</sup> In addition, the respondent voiced doubts as to whether the vulnerability of (former) unaccompanied minors is sufficiently taken into account during the first interrogation and thus identified a gap relating to the treatment of unaccompanied minors on behalf of the police.

One respondent referred to the access to the asylum procedure as a gap and stressed that different issues, mainly the implementation of the Dublin II Regulation and age assessment procedures, make it increasingly difficult for unaccompanied minors to be permitted to the actual asylum procedure as minors: *“Dublin II made it more difficult – the question of access. It has become more difficult to indeed reach Austria and to get an asylum procedure, also with regard to the barriers of the access, mainly because the age assessment will be carried out with methods which are very questionable from my point of view and which cannot accomplish what they claim to accomplish, namely a minimum age. There are examples which prove that the respective results were wrong. And it is the large complex of the asylum procedure which I perceive as the most problematic.”*<sup>234</sup>

The age assessment procedures were also criticized by a legal adviser, who described these as “unreasonable”. Furthermore, she voiced concern about decisions to carry out age assessments with asylum applicants who have already been registered as unaccompanied minors: *“It happens that after the procedure in the first instance has been concluded by the Federal Asylum Agency, an age assessment is unnecessarily imposed in the second instance by the asylum court, although minority age has not been questioned, neither during the admission procedure nor during the material procedure.”*<sup>235</sup> In a similar way, this interview partner explained that original documents such as birth certificates are often not considered to be sufficient evidence in order to prove the real age of an asylum applicant who claims to be an unaccompanied minor, a practice which she perceives as negative.

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<sup>233</sup> AT CSO 13

<sup>234</sup> AT CSO 5

<sup>235</sup> AT CSO 13



The duration of the asylum procedure was said to be a key gap due to its negative influence on the well-being of (former) unaccompanied minors: *“Another problem are the long asylum procedures. Everything that exceeds one year is unbearable.”*<sup>236</sup>

The interviews in the context of the asylum procedure were challenged by a respondent who came to the conclusion that particular, age-related characteristics of unaccompanied minors which can influence their responses and statements are not sufficiently considered: *“When assessing credibility, the age of unaccompanied minors is often not taken into account.”*<sup>237</sup>

As a final key gap in the context of the asylum procedure, a lack of information provided to (former) unaccompanied minors was criticised by the consulted professionals. It appeared that many of the adolescents and young adults are not fully aware of the functioning of relevant mechanisms such as the asylum procedure, guardianship as well as family tracing and reunification.

- **Education**

Education was another issue where shortcomings were referred to by the consulted professionals:

First and foremost, it was stressed in several interviews that the access of (former) unaccompanied minors to the Austrian regular school system leaves much room for improvement. This can be traced back to a lack of appropriate structures that take the specific situation of (former) unaccompanied minors into consideration, including their age, their knowledge of German as well as the fact that their past educational career may have been interrupted several times. As a result, (former) unaccompanied minors often participate in so-called basic education programmes which, generally speaking, do not satisfy their desire to obtain the skills needed for an independent and successful future as adults. In addition, (former) unaccompanied minors mainly share classes with other asylum seekers or migrants, as adolescents who were born and raised in Austria are more likely to attend institutes of higher education. Mingling with Austrians, however, is a strong wish of (former) unaccompanied minors.

Critique was also voiced on the limited possibilities for (former) unaccompanied minors to continue studying after having completed their basic education in Austria and to enter secondary schools. As reported by a social worker from an educational institute offering basic education programmes to this target group, evening schools are basically the only option for (former) unaccompanied minors to follow up on their education. These, however, do not provide adequate conditions for (former) unaccompanied minors as they are usually frequented by a considerable number of students and attention cannot sufficiently be paid to the needs of the individual. This is an issue of particular relevance for (former) unaccompanied minors as they may face difficulties with comprehending the subject matters presented in German.

- **Employment**

The fact that practical access to regular employment on part of (former) unaccompanied asylum-seeking minors is subject to restrictions was challenged by several of the interviewed professionals. From their perspective, more possibilities to join the Austrian labour market would be vital for the well-being of these adolescents and young adults. As reported by a social worker, many of the (former) unaccompanied minors would prefer having a job to going to school. Apart from the wish to

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<sup>236</sup> AT CSO 9

<sup>237</sup> AT CSO 13

be financially independent, they also have to economically support their family members in many cases.

- **Financial Resources**

Negative feedback was given on the financial resources which are provided to (former) unaccompanied minors in Austria. Several professionals stressed that a lack of money assigned to these adolescents and young adults negatively impacts their situation and living conditions in Austria and thus represents a key gap:

A lack of funding for projects which generally support the well-being of (former) unaccompanied minors in Austria was considered as deficiency by a professional from the Red Cross (AT CSO 4).

Another area which is negatively affected by a lack of available funds is the mental health of (former) unaccompanied minors. As explained by the head of an accommodation facility for unaccompanied minors (AT CSO 12), many of the adolescents are traumatized and in need of psychological care. Upon issuance of a certificate of illness, unaccompanied asylum-seeking minors theoretically have access to psychological services. Nonetheless, the facilities accommodating these adolescents are dependent on the assistance of crisis intervention organizations which often have waiting lists of several months. Apart from limited institutional capacities to address the psychosocial needs of (former) unaccompanied minors, a shortage of financial means allocated to interpretation facilitating the psychological interventions makes it very difficult for adolescents in need to benefit from this assistance. According to the consulted professional, psychologists or psychotherapists working in the mother tongues of the (former) unaccompanied minors are hardly available, and making a therapy in a foreign language does not have the desired effect on the emotional well-being and the psychic stability of the adolescents.

Limited financial resources sometimes also impact the food available for (former) unaccompanied minors. In an interview with the head of an accommodation facility, it was revealed that the adolescents living in this institution receive € 35 per week for food which, according to the professional, is not enough in order to secure a healthy and well-balanced nutrition. Growing the on-site garden by cultivating vegetables and fruits and accepting food donations from a charitable organization are one of the possibilities to at least partly compensate for this deficiency.

- **Turning 18**

Also turning 18 represented one of the key issues where critique was frequently voiced by the consulted professionals. Overall, it was challenged that from one day to another, the adolescents and young adults are confronted with the loss of several support systems. The negative feedback mainly related to the issue of accommodation and care, as this appeared to be the area where the gravest changes take place. The interviewed professionals especially found fault with the practice to abruptly transfer young adults to accommodation facilities for adult asylum seekers where the care provided is less intensive and where specific needs of former unaccompanied minors cannot be catered for sufficiently. At the same time, they found it a disadvantage that more appropriate structures for fostering independency of young adults, e.g. supervised shared flats where care workers visit the respective residences once a week, are not available to the extent needed.

### ***6.2.2. Key gaps identified from interviews with (former) unaccompanied minors***

The results of the interviews with unaccompanied minors as to key gaps or 'things' which they perceive working in a bad way did generally not differ from the results of the interviews with former unaccompanied minors. In general, some cases of respondents appeared to be reluctant to define

aspects of their situation as (former) unaccompanied minor as '(really) bad', mainly because they did not want to appear ungrateful for what they felt getting from Austria and its society. However, when being explicitly invited to also share their less favourable experiences and opinions, they first and foremost spoke about different aspects of the asylum procedure, followed by the difficulty of being separated from their family, dissatisfaction with missing language skills in German and unpleasant expectations about turning 18.

- **Asylum Procedure**

Several of the interviewees stressed that they felt severely burdened by the insecurity they faced regarding their residence in Austria and thus perceived the entire process of seeking asylum as a very unpleasant situation. As key gaps in this context, they referred to a long duration of the asylum procedure until a decision on their application is taken, to a lack of transparency and traceability on how these decisions, preliminary if negative, are reached and to poor translation of their interviews in the context of the asylum procedure, which, they assumed, could be one of the reasons that their application for asylum was not granted. In sum, many of the respondents tended to react in an emotional way when speaking about the asylum procedure and, depending on their individual personality, showed feelings of anger, frustration or sadness.

- **Family**

The fact that (former) unaccompanied minors, as implicated by the definition, reside in Austria without their family is viewed as extremely negative by many of the adolescents and young adult spoken with. Some respondents, especially the younger ones, indicated that they felt lost without their parents and siblings. In addition, several of the interview partners said that they were concerned about the well-being of their family and feared the life of the latter, particularly if the family was residing in regions of the world affected by conflict. Some of the (former) unaccompanied minors mentioned that they simply missed their loved ones and had troubles adapting to a life without them.

- **Language**

Not having sufficient skills in the language of the host country was reported to be another key gap or, more precisely, a key obstacle by the interviewed adolescents and young adults. Although many appeared to have reached an advanced level in German, some of them still found it difficult to manage their life in Austria as non-native speakers. The difficulties they reported often concerned the possibility to integrate into the local society and to mingle with Austrians – a desire many of them share. They also said that they sometimes struggled at school or could not pursue their preferred education because of a lack of language skills. Overall, they felt unhappy about the hurdles they encountered as result of not knowing enough German.

- **Turning 18**

Becoming an adult is also an area where (former) unaccompanied minors voiced particular concerns. Especially the minor respondents said that they felt anxious about what their future as adult asylum seekers will bring. Feelings of fear were expressed above all with regard to their living situation; many adolescents reported that they did not know where they would be transferred to and if they would feel comfortable or not at their new residence. Having reached majority age was also seen negatively by different young adults who were primarily worried about the outcome of their asylum

procedure. Many of them voiced the apprehension that the day of receiving a final negative decision was coming closer and closer.

### 5.3 Conclusions and Recommendations for future assistance of (former) unaccompanied minor asylum-seekers

Clear improvements in the situation of (former) unaccompanied asylum-seeking minors in Austria can be noted from a historical perspective and in comparison to their general living conditions before the implementation of the Basic Welfare Support Agreement in 2004. These especially apply to the area of accommodation and care and affect unaccompanied minors below the age of 18 in particular, because favourable provisions are specifically set for this group of asylum seekers.

Apart from institutional support mechanisms, the main strength in the treatment of (former) unaccompanied minors in Austria appears to be a strong commitment of civil society. Non-profit organizations dedicated to fostering the well-being of these adolescents and young adults implement various projects and initiatives which assist the (former) unaccompanied minors to orient themselves in an unknown environment and facilitate their acquisition of skills relevant for an independent future as adults.

Nonetheless, gaps and weaknesses still exist in different provisions and in the implementation of legislation, which negatively impacts the effective living conditions of (former) unaccompanied minors in Austria. This applies especially to different aspects of the asylum procedure, the integration of (former) unaccompanied minors into Austrian society, the regular school system and the labour market and the abrupt loss of crucial assistance mechanisms upon reaching adulthood. On a general level, a lack of financial resources prevents the satisfaction of the needs of (former) unaccompanied minors in different fields such as care, health, nutrition, education and leisure time.

Ironically, areas that the consulted professionals and (former) unaccompanied minors positively evaluated overlap with areas where shortcomings were reported. This clearly demonstrates that, although various practices in key issues such as support and resources for (former) unaccompanied minors, education and employment appear to work well, additional efforts still need to be made to properly meet the needs and fulfil the rights of (former) unaccompanied minors in Austria.

For future arrangements, the following recommendations should thus be considered:

- The duration of the admission procedure should be kept as short as possible and the duration of the asylum procedure could be sped up;
- Explanations of legal procedures should be as child-friendly as possible, taking into account linguistic barriers as well as the age and developmental stage of the applicant;
- Interviews should be implemented in the utmost sensitive way, fulfilling the special needs of the child;
- Interpreters acting in the interest of the (former) unaccompanied minor and providing high-quality translation should be assigned for each interview;
- Every unaccompanied minor should be provided with a guardian and informed about its role;
- Family reunifications in Austria should be supported at an early stage of the stay of the unaccompanied minor in Austria;
- (Former) unaccompanied minors should be placed in accommodation facilities in urban areas and, wherever possible, be given a say in the choice of facility;

- Access to the regular school system should be improved and the installation of specific support mechanisms compensating for potential deficiencies in German language skills and limited previous education should be enhanced;
- Information about how the labour market can be accessed should be provided to all (former) unaccompanied asylum-seeking minors;
- Participation of (former) unaccompanied minors in Austrian society should be fostered;
- Training for orientation in the unknown environment should be provided to all (former) unaccompanied minors;
- Sufficient care should be provided to all (former) unaccompanied minors over the point of the 18<sup>th</sup> birthday of unaccompanied minors;
- The host society should be sensitized about the subject of (former) unaccompanied minors and initiatives counteracting prejudices and xenophobia should be implemented;
- (Former) unaccompanied minors should be supported in the acquisition of skills relevant for successfully managing an independent future.

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Austrian Asylum Act 2005	Asyl Gesetz 2005 (AsylG)
Aliens' Employment Act	Ausländer Beschäftigungsgesetz (AuslBG)
Aliens' Police Act	Fremdenpolizeigesetz 2005 (FPG)
Austrian Settlement and Residence Act	Niederlassungs- und Aufenthaltsgesetz (NAG)
Salzburg Basic Welfare Support Act	Salzburger Grundversorgungsgesetz
Tyrol Basic Welfare Support Act	Tiroler Grundversorgungsgesetz
Basic Welfare Support Agreement	Grundversorgungsvereinbarung Art. 15a BV-G
Civil Code	Allgemeines Bürgerliches Gesetzbuch (ABGB)
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Federal Ministry of the Interior

Asylum Statistics 2009

[http://www.bmi.gv.at/cms/BMI\\_Asylwesen/statistik/files/Asyl\\_Jahresstatistik\\_2009.pdf](http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik/files/Asyl_Jahresstatistik_2009.pdf) (accessed on 11 January 2012)

Federal Ministry of the Interior

Asylum Statistics 2010



[http://www.bmi.gv.at/cms/BMI\\_Asywesen/statistik/files/Asylstatistik\\_Jahresstatistik\\_2010.pdf](http://www.bmi.gv.at/cms/BMI_Asywesen/statistik/files/Asylstatistik_Jahresstatistik_2010.pdf)  
(accessed on 11 January 2012)

## 6.4 Glossary

English translation	German Term
Administrative High Court	<i>Verwaltungsgerichtshof</i>
Asylum Court	<i>Asylgerichtshof</i>
basic education	<i>Basislehrgang</i>
Constitutional Court	<i>Verfassungsgerichtshof</i>
course for completing compulsory schooling	<i>Hauptschulabschlusskurse</i>
District Commission	<i>Bezirkshauptmannschaft</i>
extraordinary pupils	<i>außerordentliche Schüler</i>
Federal Asylum Agency	<i>Bundesasylamt</i>
Initial Reception Centre	<i>Erstaufnahmestelle</i>
Public Employment Service	<i>Arbeitsmarktservice</i>
minors of age	<i>mündige Minderjährige</i>
municipality	<i>Magistrat</i>
preparatory courses to the 'Hauptschulabschlusskurs'	<i>Vorbereitungskurs für Hauptschulabschlusskurs</i>
production schools	<i>Produktionsschulen</i>
second-chance education	<i>zweiter Bildungsweg</i>
shared accommodation groups	<i>Wohngruppen</i>
special accommodation centres	<i>Wohnheime</i>
supervised accommodation	<i>betreutes Wohnen</i>
Supreme Court	<i>Oberster Gerichtshof</i>
unaccompanied minor foreigner	<i>unbegleiteter minderjähriger Fremder</i>
unaccompanied minor refugee	<i>unbegleiteter minderjähriger Flüchtling</i>

under-age minors	<i>unmündige Minderjährige</i>
working group on unaccompanied refugee minors	<i>Arbeitsgruppe unbegleitete minderjährige Flüchtlinge</i>

## 6.5 List of interviews with professionals

Codes were allocated to the interviewees according to 1) their professional background with interview partners from the governmental sector listed first and interview partners from the civil society sector listed second, and 2) their surname in alphabetical order.

Code	Name	Institution	Position
AT GOV 1	Beciragic Yasmina	Federal Ministry of the Interior, Department III/5 Asylum and Care ( <i>Bundesministerium für Inneres, Abteilung III/5 – Asyl und Betreuung</i> )	Coordinator of Basic Welfare Support
AT GOV 2	Walcher Alfred	Municipality of Vienna ( <i>Stadt Wien</i> )	Legal representative in the asylum procedure
AT CSO 3	Albl Daniela	lobby.16	educational counselling, occupational orientation
AT CSO 4	Bernhart Daniel	Austrian Red Cross ( <i>Österreichisches Rotes Kreuz</i> )	Staff member of Tracing Service
AT CSO 5	Fronek Heinz	asylkoordination österreich	Coordinator of asylkoordination österreich
AT CSO 6	Goldmann Johanna	Austrian Red Cross ( <i>Österreichisches Rotes Kreuz</i> )	Head of Tracing Service
AT CSO 7	Haracic Jasmina	Austrian Red Cross ( <i>Österreichisches Rotes Kreuz</i> )	Staff member of Tracing Service
AT CSO 8	Janicek Karoline	Project <i>connecting people</i> ( <i>Projekt connecting people</i> )	<i>Patin</i> ('godmother')
AT CSO 9	Krainz Veronika	lobby.16	Director of lobby.16
AT CSO 10	Lacevic Senad	Volkshochschule Ottakring	Social worker
AT CSO 11	Peichl Beatrix	Don Bosco Flüchtlingswerk, Accommodation facility Abraham ( <i>Don Bosco Flüchtlingswerk, Jugendwohnheim Abraham</i> )	Head of UAM accommodation facility Abraham
AT CSO 12	Pollheimer Margit	Don Bosco Flüchtlingswerk ( <i>Don Bosco Flüchtlingswerk</i> )	Director of Don Bosco Flüchtlingswerk
AT CSO 13	Anonymous <sup>238</sup>	Institution for legal counselling for asylum seekers	Legal counsellor and representative in the admission procedure to the asylum procedure

<sup>238</sup> Name, institution and position omitted for ensuring the interviewee's wish to stay anonymous.

## 6.6 List of interviews with unaccompanied asylum-seeking minors

*Codes were allocated to the interviewees according to 1) their country of origin in alphabetical order, 2) their age in ascending order, and 3) their gender with female interview partners listed before male interview partners.*

<b>Code</b>	<b>Country of Origin<sup>239</sup></b>	<b>Age</b>	<b>Gender</b>
AT UAMAS 1	Afghanistan	14	Male
AT UAMAS 2	Afghanistan	14	Male
AT UAMAS 3	Central Asia	17	Female
AT UAMAS 4	Afghanistan	17	Male
AT UAMAS 5	Afghanistan	17	Male
AT UAMAS 6	Afghanistan	17	Male
AT UAMAS 7	Afghanistan	17	Male
AT UAMAS 8	Afghanistan	17	Male
AT UAMAS 9	Afghanistan	17	Male
AT UAMAS 10	Central Asia	17	Female
AT UAMAS 11	Russian Federation	17	Female
AT UAMAS 12	East Africa	17	Female
AT UAMAS 13	East Africa	17	Male

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<sup>239</sup> The indication of the precise country of origin was omitted in all cases where the anonymity of the interviewee was threatened.

## 6.7 List of interviews with former unaccompanied asylum-seeking minors

*Codes were allocated to the interviewees according to 1) their country of origin in alphabetical order, 2) their age in ascending order, and 3) their gender with female interview partners listed before male interview partners.*

<b>Code</b>	<b>Country of Origin</b>	<b>Age</b>	<b>Gender</b>
AT F/UAMAS 1	Afghanistan	18	Male
AT F/UAMAS 2	Afghanistan	18	Male
AT F/UAMAS 3	Afghanistan	19	Male
AT F/UAMAS 4	Afghanistan	19	Male
AT F/UAMAS 5	North Africa	19	Male
AT F/UAMAS 6	East Africa	16	Female
AT F/UAMAS 7	East Africa	19	Female
AT F/UAMAS 8	West Africa	20	Male
AT F/UAMAS 9	Central Asia	18	Female
AT F/UAMAS 10	East Africa	18	Female