

YOUR RIGHTS AND OBLIGATIONS ON RECEPTION



This information is for you if:

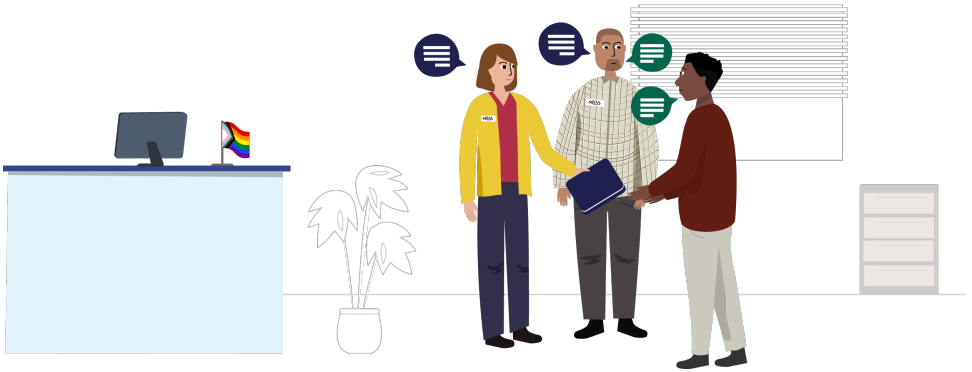
- ✔ you are an adult (older than 18 years old)
- ✔ you applied for international protection (also called asylum) in Austria and you are now an applicant for international protection.

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➤ WHAT IS RECEPTION?

Reception is the support you receive as an applicant while you wait for the authorities to conclude the examination of your application for international protection. It includes the reception rights and obligations that are explained in this brochure.



You are safe in this country.

During your stay, the staff of the Federal Agency for Reception and Support Services (BBU) will inform you about the reception services and support available to you depending on your situation.



You can also ask other organisations for information and help free of charge. You can find a list of organisations at the end of this brochure.



An interpreter will help you communicate with the staff in a language you understand, where necessary. The interpreter will not share anything you say with anyone else.

You can find information about the asylum procedure and the rules to follow in separate brochures.

You are now in Austria which is an EU+ country.

The EU+ countries are:



the 27 Member States of the European Union (EU): Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Republic of Ireland, Romania, Slovakia, Slovenia, Spain, Sweden and



4 other countries: Iceland, Liechtenstein, Norway, Switzerland.

Attention!

Applicants have similar reception rights and obligations in all EU+ countries.

There are rules regarding applying for asylum and travelling to other EU+ countries.



You must apply for asylum and register your application in the EU+ country where you first arrived, unless the authorities informed you otherwise.



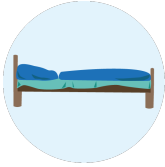
Only one EU+ country is responsible for examining your asylum application. The authorities in Austria will follow a procedure to decide which EU+ country is responsible for your asylum application.



You must stay in Austria. You cannot travel to another EU+ country without the permission of the authorities. If you leave, there will be negative consequences. Your asylum procedure in Austria may be stopped. Your freedom of movement in the other country might be restricted and some reception services will be cancelled.

➤ WHAT WILL YOU RECEIVE?

While the authorities examine your application for international protection, and depending on your personal and financial situation, you will receive:



- accommodation



- personal hygiene products



- food



- clothing



- daily expenses allowance
- opportunity to engage in remunerated work

The authorities will ask you questions to better understand your personal and financial situation.

➤ RIGHT TO HEALTH CARE

The authorities will ensure that you receive the **necessary health care**. This can include for example, visits to a nurse or doctor, examination for severe illnesses and chronic conditions, medication prescribed by a doctor and mental health support.



If you have a medical problem, tell the staff.

If you have a medical emergency or injury that need urgent treatment, tell the staff or call for free the emergency number 144 or alternatively the international emergency number 112.



You will have a medical check upon arrival in a reception facility.

The medical check consists of an assessment on special needs and a medical assessment with a doctor (incl. a lung X-ray). They will ask you questions about your medical needs, present or past diseases/infections, your vaccine records and any medication you are taking. They will also ask you about any injuries, pain, conditions or worries you might have.

Medical tests, including a tuberculosis test, are obligatory at reception.

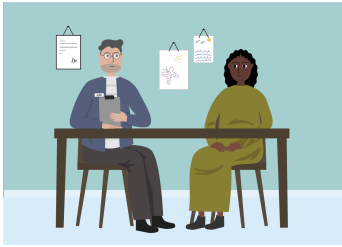
You have the right to receive specialised support if you have special needs.



Inform the staff if:

- you are ill or injured
- you are or you might be pregnant
- you have family members in need of specific support
- you have disabilities (for example, limited mobility, hearing loss, vision impairment)
- you feel constantly nervous, worried or anxious, you cannot sleep, or you have negative thoughts
- you are suffering from past violence or torture
- you feel unsafe, threatened, or you are afraid of someone, either a stranger or a person you know
- you have been or are being forced to do things you don't want to do
- you feel unsafe due to your faith, who you love, how you dress or behave
- you are younger than 18 and you arrived without your parents, either alone or with other family members.

Specialised support can only be provided when the reception staff knows about your special needs.



Specialised reception staff will ask you questions to:

- evaluate your **special needs**
- identify **what specialised support** is best for you.

This is called an **assessment of special needs**.



An interpreter will help you communicate in a language you understand, if necessary.



Always contact the reception staff if you need specialised support.

You will receive this support for as long as the authorities consider you are in need.

You can trust the doctor, the nurse and the specialised staff and talk freely to them. All information will be kept confidential, meaning it will not be shared with others without your agreement.

The only exception is if your life or someone else's is at risk.

➤ RIGHT TO EDUCATION FOR CHILDREN

All children, boys and girls, below 18 years old have the right to education.

They will receive support such as language classes, informative workshops and mandatory courses on the rules of living in Austria.



In Austria, all children between 6 and 15 years old must attend school.

Parents have the obligation to send their children to school.

➤ RIGHT TO WORK

Depending on your situation, you may have the right to work after 3 months from the registration of your application for international protection in Austria.

The staff of the reception center will inform you about the rules that apply in Austria.



There are some exceptions, for example you will not be allowed to work if you are not cooperating with the authorities.

Remunerated work is possible on a voluntary basis.



All boys and girls under 15 years old are not allowed to work.

▶ LANGUAGE COURSES AND VOCATIONAL TRAINING

Depending on your situation, the authorities might ask you to attend:

- courses about the society where you live (laws, rules and culture)
- mandatory return counselling and return workshops.

You can attend:

- language courses,
- courses and workshops to learn new skills (vocational training).



The staff will inform you about these courses and when you can start them.

➤ THE DOCUMENT STATING THAT YOU ARE AN APPLICANT FOR INTERNATIONAL PROTECTION



You will receive an official document that states that you are an applicant for international protection. This document will state your name and your personal data. You must carry it with you all the time.

This is not a travel document.

Attention! Take care not to lose it and don't give it away to someone else.

➤ WHERE WILL YOU STAY?

The authorities will tell you where you will stay and explain the conditions.

The place where you will stay while your application for international protection is being examined depends on many factors.

You will be accommodated in federal reception facilities by the Federal Agency for Reception and Support Services or in provincial reception facilities by one of the nine provinces in Austria. The authorities will assign an accommodation to you, therefore you cannot choose your place of residence.

No matter where you are staying, you have the right to:



- **be safe:** nobody, including the staff, is allowed to threaten, insult or harm you



- **stay with your husband, wife, children and siblings under 18 or with an adult relative who needs daily care**
- **stay with your relatives,** if you are an adult in need of daily care



- **get help to communicate with your family and to try and find them, if you do not know where they are.**

You can make a formal complaint if you believe that:



- any of the staff threatened, insulted or harmed you.
- you are unsatisfied with the reception conditions.

The authorities will inform you how to make a formal complaint.

You can always ask the authorities, non-governmental organisations or the United Nations Refugee Agency (UNHCR) for more information.

The authorities decide in which facility you will stay. Depending on your situation, you may be able to move freely in Austria.



The place where you will stay depends on aspects such as available places, your situation and your needs (for example, the composition of your family, your health).

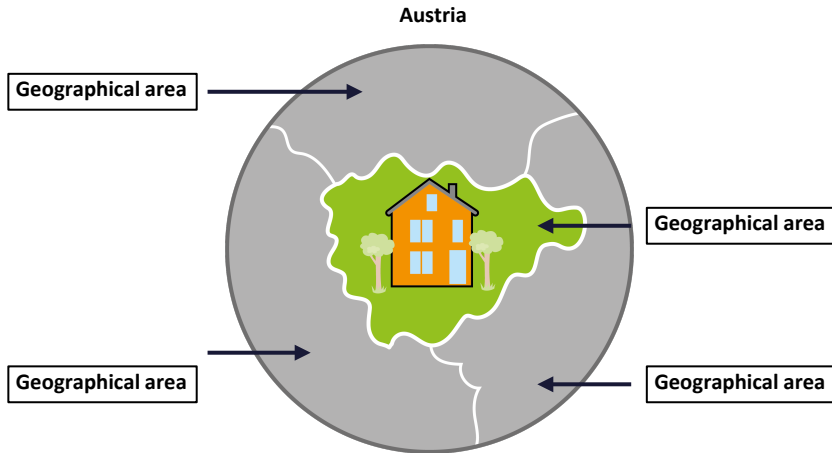
You will receive support and services only as long as you are staying in the accommodation assigned to you. The authorities will check that you are staying in this accommodation.

You can choose to stay in private accommodation if you have sufficient financial resources and if the Federal Office for Immigration and Asylum (BFA) does not decide that you have to stay in specific accommodation. In this case, you may also be allowed to stay with your family or friends.

The rights and obligations you have if you stay in private accommodation will be explained to you by the responsible federal state government.



The Federal Office for Immigration and Asylum (BFA) will decide that you have to stay in a specific geographical area. In this case, they will communicate it to you in writing in a language you understand.



The authorities may decide that you have to stay in this area so that your application for international protection can be examined faster, or because of available places in reception centres.

You will be able to move freely within this area.

If you need to leave the area for a short period, you need to ask the authorities for permission. You can only ask to leave for justified, urgent and serious family reasons, or for necessary medical treatment that is not available within the geographical area you are staying. The authorities may approve your request or not.

If your request is rejected, you can appeal this decision.

Depending on your situation, the authorities may decide that you have to stay in a specific place (for example in a specific reception centre).



You will be allowed to go out of that specific place with certain restrictions. Your presence in that specific place will be checked regularly.

The authorities might decide this for several reasons. For example:

- there is a risk you might run away
- another country may be responsible for examining your asylum application and the authorities think that you might run away
- you left this country without permission, you were returned and there is a risk you might run away again.

The authorities will communicate this decision to you in writing in a language you understand. They will inform you about your rights, obligations and the negative consequences if you do not respect the decision.

You can appeal this decision.

You can ask the authorities if you can stay somewhere else for a limited period. The authorities may approve your request or not. If your request is rejected, you can appeal this decision.

Attention! If you don't respect the decision to stay in this specific place and the restrictions imposed, and there is a risk you might run away again, you may be detained.

➤ CONDITIONS IN WHICH AN APPLICANT MAY BE DETAINED

Detention means that you are placed in a specific facility that you cannot leave freely. The authorities must have a valid reason to detain you. They must be sure that no other option is possible in your case. The authorities will consider your personal situation before deciding.



The reasons for detention can be, for example:

- important aspects of your asylum application (for example your identity) cannot be verified without detention
- you did not respect the obligation to stay in a specific place, and there is a risk you run away again and the authorities cannot reach you
- you received a decision to be transferred to the EU + country responsible for examining your asylum application and there is a risk you run away before the transfer
- you pose a security risk.

If you are detained, you can appeal the decision. You can request free legal assistance and representation.

➤ WHAT ARE YOUR RECEPTION OBLIGATIONS?



Below are some of the obligations you must comply with.

- ✔ Follow the laws of this country.
- ✔ Stay in Austria and do not travel to another EU+ country without the permission of the authorities.
- ✘ Do not leave without permission the geographical area or the specific place where the authorities said you must stay.
- ✔ Cooperate fully with the authorities and follow their instructions.
- ✔ Respect the rules of the place where you are staying.
- ✔ Respect the other residents, the staff and other persons.
- ✔ Inform the authorities about your financial resources.
- ✔ Inform the authorities about your current address and contact information (telephone number, email), and any changes, so they can contact you at all times.
- ✔ Participate in the compulsory courses for integration decided by the authorities.

▶ WHAT HAPPENS IF YOU DO NOT COMPLY WITH YOUR OBLIGATIONS?

The authorities will evaluate your situation and may decide to reduce or cancel some type of support. The authorities will inform you about such a decision in writing and specify which support they will reduce or cancel.



Attention!

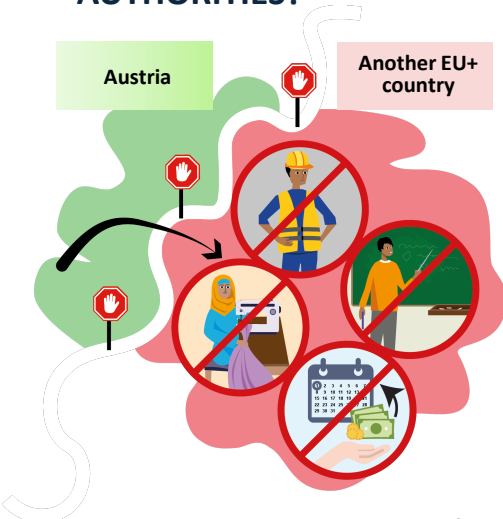
You may receive less support, for example, if:

- you leave without permission the geographical area or the specific place where the authorities said you must stay
- you do not cooperate with the authorities
- you lie about your financial resources
- you break the rules of the of the place where you are staying
- you do not participate in the mandatory courses
- you already applied for asylum in another EU+ country and you left from that country.

You may lose the support you are receiving if you are violent, if you threaten others or if you break the rules of the place where you are staying in a repeated or serious way. In this case, the police might also be called to intervene.



➤ WHAT HAPPENS IF YOU TRAVEL TO ANOTHER EU+ COUNTRY WITHOUT THE PERMISSION OF THE AUTHORITIES?



In Austria:

- your asylum procedure may be stopped.

In the EU+ country where you travelled without permission:

- the authorities may decide to send you back to the country that you left without permission

From the moment the authorities inform you about the decision to send you back, you will not have access to certain rights, for example:

- you will **not receive many services and types of support**
- you will **not be allowed to work**
- you will **not be allowed to attend language courses or courses to learn new skills.**

➤ WHAT HAPPENS ONCE YOU ARE SENT BACK TO THE EU+ COUNTRY THAT YOU LEFT WITHOUT PERMISSION?



The authorities might decide that you have to stay in a specific place and your presence will be checked regularly. You will be able to go out of the centre with certain restrictions.

➤ YOU CAN APPEAL A DECISION OF THE AUTHORITY



If the authorities decide to limit your rights as an applicant and you believe this is unfair, **you can appeal the decision.**

You can appeal if the authorities decide:

- you do not have the right to accommodation and other reception support
- to reduce or cancel the reception support provided to you
- not to approve your request to leave temporarily a specific geographical area or a specific place
- you are obliged to stay in a specific place (for example in a specific reception centre) and you can go out with certain restrictions
- to detain you.

You can lodge an appeal against a decision of the Federal Office for Immigration and Asylum (BFA) with the Federal Administrative Court (BVwG). You need to present your appeal within the specific period provided in the decision. You will receive more detailed information about this if the authorities decide to limit your rights as an applicant.

If you travelled to another EU+ country without the permission of the authorities and you lost certain reception rights there, you can appeal this decision in that country.

When the authorities in Austria decide to reduce or cancel the reception support provided to you because of the situations explained at page 21, you will have certain rights. For example, you will be able to see a doctor or a nurse, to receive medical assistance, some support (for example food) and a place to sleep as decided by the authorities.

The type of support will depend on your personal situation and needs.

When the authorities of the EU+ country that you travelled to without permission decide to cancel the reception support provided to you, the type of support you will still receive will depend on your personal situation and needs.

➤ YOU MAY RECEIVE LEGAL ASSISTANCE



If you want to appeal the decision of the authorities to limit your reception rights before a judge, you may receive free legal assistance and representation, depending on your situation.

This means that a legal adviser will help you. Legal advisers provide you with legal assistance before a judge, defend your interest and are independent from the authorities and the judge.

You can also consult a legal adviser or a lawyer at your own cost.



The authorities will inform you how to appeal a decision. You can always ask the authorities, non-governmental organisations or UNHCR for more information, including on available free legal assistance and representation.

CONTACT DETAILS

If you have any questions or you need support during your stay, you can talk to staff working in:

the reception authority

Federal Office for Immigration and Asylum (BFA)

<https://www.bfa.gv.at/>

medical support

While in reception, you have health insurance and can visit any doctor or hospital. Please contact the reception staff, if you need medical support.

Medical information: 1450, medical emergency: 144

psychological support

Please contact your doctor to seek psychological support. In case of psychological emergency: 142

legal counselling, assistance and representation

Federal Agency for Reception and Support Services

rechtsberatung@bbu.gv.at

+43 1 2676 8709 400

Return counselling and assistance

Federal Agency for Reception and Support Services

rueckkehr@bbu.gv.at

+43 800 80 8005

UNHCR (the United Nations Refugee Agency) protects the interests and rights of asylum seekers and refugees: ausvi@unhcr.org

<https://www.unhcr.org/at/>

If you have a medical emergency or you are in danger, you can call these numbers for free:



medical emergency: 144



police: 133

MY NOTES

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