



# ATTRACTING AND RETAINING INTERNATIONAL STUDENTS IN AUSTRIA



**Maria-Alexandra Bassermann**

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# EUROPEAN MIGRATION NETWORK

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

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

The NCP Austria is – pursuant to an agreement with the Federal Ministry of the Interior – located in the Research and Migration Law Department of the Country Office for Austria of the International Organization for Migration (IOM). The IOM office was established in 1952 when Austria became one of the first members of the Organization. The main responsibility of the IOM Country Office is to analyse national migration issues and emerging trends and to correspondingly develop and implement national projects and programmes.

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

In general, the NCPs do not conduct primary research but collect and analyse existing data and information, which are supplemented where necessary through additional information collected directly. EMN studies are prepared in accordance with common study templates in order to achieve comparable results within the EU and Norway. Since comparing

results frequently proves challenging, the EMN has produced a glossary, which ensures that similar definitions and terminology are used in all national reports.

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

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## EXECUTIVE SUMMARY

To cope with labour market challenges in the European Union (EU), the EU has resolved to take more measures to attract students from third countries and retain them in the EU. One such measure in particular is the Students and Researchers Directive (EU) 2016/801, which is aimed at harmonizing and improving the legal conditions governing the entry and residence of third-country nationals for the purposes of research or studies; the Directive was to be implemented by the Member States by no later than May 2018. This study provides an initial look at how Directive (EU) 2016/801 is being implemented in Austria. In addition to the legal and policy context, the study examines specific incentives and measures for attracting international students and retaining them in Austria.

The target group under study here is comprised of third-country nationals who have been granted a residence permit or long-stay visa for the purpose of studies, and/or are undertaking a higher education degree. For simplification, the term “international students” is used in the following. Since this study is also intended as an update of the 2012 EMN study on *Immigration of international students to the EU*, it examines the period between 2012 and September 2018.

The most recent statistics available are from the year 2017.<sup>1</sup> Students from Bosnia and Herzegovina accounted for the largest group of international students – that is, third-country nationals previously educated in another country – who were enrolled in Austrian institutions of higher education in 2017. A total of 2,273 international students completed a course of study at Austrian institutions of higher education in 2017, with around half (55%) finishing Master’s or Diploma degrees.

Since 2012 there have been frequent changes to legal provisions pertaining to international students. Particularly notable here is the Act Amending the Aliens Law 2018. This act introduced the provisions affecting students that were to be implemented under Directive (EU) 2016/801. Among the items adapted was the Temporary Residence Permit for students. The act also introduced provisions to improve the mobility rights of students

1 The year 2017 refers to the academic year 2016/17.

as well as providing more options for labour market access. Other changes introduced apply to the Red-White-Red Card for international university graduates. Specifically, since 2015 university graduates have been allowed to apply for all categories of the Red-White-Red Card.

A higher education mobility strategy, aimed at promoting transnational mobility, was defined in 2016. This strategy seeks to internationalize the higher education sector and not specifically to attract international students. The 2016 higher education mobility strategy merely sets related strategic objectives. With reference to the retention of international graduates, the Red-White-Red Card is considered a strategic instrument at national level aimed at promoting retention.

Austria's higher education sector consists of four subsectors: public universities, private universities, universities of applied sciences and teacher training colleges. A separate legal basis exists for each of these subsectors. Thus, depending on the type of higher education institution, tuition fees are specified either nationwide in federal legislation, or in legislation and additionally by the particular institution, or solely by the institution. In addition to tuition fees, factors playing a role in admission to a course of study include recognition of foreign graduation certificates and the ability to demonstrate adequate language proficiency.

International students wishing to reside in Austria for more than six months are eligible to apply for a Temporary Residence Permit in accordance with Art. 64 of the Settlement and Residence Act. One of the prerequisites for such a permit is a certificate of acceptance by a higher education institution. A Temporary Residence Permit, generally valid for one year and in specific cases for two years, can be renewed as long as the student continues to meet the requirements and to demonstrate progress in studies. Related challenges and tangible problems have been recognized primarily in connection with legal provisions governing the entry and stay of international students. These include the verification of submitted documents, as well as obstacles experienced by students as a result of the extended application procedure or the need to demonstrate sufficient funds.

International students in Austria are allowed to work at paid jobs for a maximum of 20 hours a week, with studies continuing to be the main reason of stay. Family members of individuals holding a Temporary Residence Permit for students may apply for a Temporary Residence Permit – Family Community. The years during which an individual has held a

Temporary Residence Permit for students can also partly be counted towards meeting requirements when applying for a Permanent Residence – EU title (long-term residence permit) or Austrian citizenship.

Austria has both specific measures for attracting students as well as related orientation and hosting programmes, which have been initiated jointly or separately by the State and higher education institutions. An example of this is the advertising of Austria as a place of study, presented with State funding at education and higher education fairs or funded directly by higher education institutions. Another such measure is the scholarships awarded in Austria by the State, higher education institutions and private stakeholders. Scholarships are linked to factors such as citizenship, exceptional achievement or social need. With regard to orientation support measures by the State, special mention needs to be made of the Austrian Academic Exchange Service (OeAD), which in particular provides information summaries and support in locating accommodation. Among higher education institutions, a distinction is made between public universities on the one hand and universities of applied sciences and private universities on the other. Whereas the former tend to offer such programmes sporadically, universities of applied sciences and private universities frequently offer a broader range.

In relation to retaining international students, options for entering the Austrian labour market are an especially important factor. International graduates in Austria may renew their temporary residence permits once, for 12 months, in order to seek work. Where such an individual finds suitable employment, the person can change to a residence title for qualified third-country workers. In such cases, the intended employment must correspond to the individual's level of education and offer a minimum level of remuneration. Alongside general initiatives by the State aimed at labour market integration, Austrian higher education institutions and private-sector stakeholders have also implemented a number of projects and programmes with the objective of aiding graduates in labour market entry. Transitioning from studies to working life is referred to as a challenge on the whole. A specific example here is the difficulty third-country nationals often encounter in finding employment offering the monthly gross minimum salary required in the particular case.

Bilateral or multilateral cooperative programmes often provide an opportunity for mobility among international students. Such transnational

cooperation may take place either at State level or among higher education institutions or between individual departments. Austria has two types of bilateral agreements with other States that in particular regulate matters including international students and cooperation in education: accords referred to as memorandums of understanding, and scientific and technical cooperation agreements. Many higher education institutions also have cooperation agreements or programmes with similar institutions in third countries.

# 1. INTRODUCTION

## 1.1 Background and objectives

In view of growing labour market challenges, the European Union (EU) and its Member States have increasingly looked at migration as a means of addressing the issues of ageing populations, sustaining welfare systems and finding skilled workers (EE EMN NCP, 2017:1). One potential solution has been identified in attracting and retaining third-country nationals who choose to pursue higher education in the EU (Colussi, 2016:36; EE EMN NCP, 2017:1). The number of individuals migrating to the EU or to European Free Trade Area (EFTA) member countries for the purpose of higher education increased by four per cent in 2016 (OECD/EU, 2016:34). These countries are thus becoming increasingly attractive for international students. Yet, these States must at the same time compete with other countries belonging to the Organisation for Economic Co-operation and Development (OECD), including the United States of America and Australia (OECD/EU, 2016; Colussi, 2016:36). Retaining international students in the EU continues to be another challenge, with only a tiny fraction of international graduates taking up permanent residence in an EU Member State for the purpose of employment (EE EMN NCP, 2017:1).

In recent years, the EU and its Member States have been working on several comprehensive strategies to enhance the attractiveness of Europe's higher education system. The most prominent example at EU level is legislation adopted in 2016, Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purpose of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (in the following: Directive (EU) 2016/801).<sup>2</sup> The Directive, which seeks first and foremost to improve and harmonize minimum legal

2 Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast), OJ 2016 L 132/21.

standards for attracting and retaining international students, was to have been implemented by the Member States by no later than May 2018.<sup>3</sup> Particularly with regard to the implementation deadline, this study is currently relevant inasmuch as it provides an initial look at how Students and Researchers Directive (EU) 2016/801 is being implemented in Austria.

Several times in recent years, the European Migration Network (EMN) has addressed the topic of the migration of international students and of filling the need for workers. Among the EMN studies notable in this regard are the 2012 study on Immigration of International Students to the EU,<sup>4</sup> the 2013 report entitled *Attracting Highly Qualified and Qualified Third-Country Nationals*<sup>5</sup> and the 2015 study on Changes in *Immigration Status and Purpose of Stay*.<sup>6</sup> This study updates the information provided in these earlier studies to reflect the current situation, while adding details about specific action for attracting and retaining students.

Besides the general legal and policy framework, the study additionally looks into strategies, incentives and measures aimed at bringing international students to Austria and retaining them here once they complete their studies. The study also provides a statistical overview of the number of students who are third-country citizens. In presenting these details, the report first outlines the general legal and policy context (chapter 2), statistical data (chapter 3), the Austrian higher education system (chapter 4), and legal provisions relating to residence and general rights (chapters 5 and 6).

- 3 Statement of the Councils reasons: Position (EU) No 9/2016 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing, OJ 2016 C 170/02, pp. 40–41.
- 4 EMN, *Immigration of International Students to the EU* (European Commission, Brussels, 2012). Available from [www.emn.at/wp-content/uploads/2017/01/0\\_Immigration\\_of\\_International\\_Students\\_to\\_the\\_EU\\_SR\\_24April2013\\_FINAL.pdf](http://www.emn.at/wp-content/uploads/2017/01/0_Immigration_of_International_Students_to_the_EU_SR_24April2013_FINAL.pdf) (accessed 21 December 2018).
- 5 EMN, *Attracting Highly Qualified and Qualified Third-Country Nationals* (European Commission, Brussels, 2013). Available from [www.emn.at/wp-content/uploads/2017/01/emnsr\\_attractinghqworkers\\_finalversion\\_23oct2013\\_publication1.pdf](http://www.emn.at/wp-content/uploads/2017/01/emnsr_attractinghqworkers_finalversion_23oct2013_publication1.pdf) (accessed 21 December 2018).
- 6 EMN, *Changes in immigration status and purpose of stay: an overview of EU Member States' approaches* (European Commission, Brussels, 2015). Available from [www.emn.at/wp-content/uploads/2015/11/emn-studies-00.emn\\_study\\_on\\_the\\_change\\_of\\_status\\_final.pdf](http://www.emn.at/wp-content/uploads/2015/11/emn-studies-00.emn_study_on_the_change_of_status_final.pdf) (accessed 21 December 2018).

Discussion is then given to measures and initiatives specifically aimed at attracting and hosting international students (chapter 7), retention and labour market access (chapter 8), and transnational cooperation at State and university levels (chapter 9).

## 1.2 Scope of the study

The focus of this study is third-country nationals who enrol in a tertiary education programme<sup>7</sup> in Austria. Such programmes are classified as follows according to the International Standard Classification of Education (ISCED):<sup>8</sup>

- ISCED Level 5: Upper secondary vocational schools including post-secondary vocational education and training (VET) courses (*Kollegs*)<sup>9</sup>
- ISCED Level 6: Bachelor's programmes;
- ISCED Level 7: Master's programmes, diploma programmes<sup>10</sup> and university courses (post-graduate);
- ISCED Level 8: PhD/doctoral programmes (post-graduate).<sup>11</sup>

7 In Austria, tertiary educational institutions include universities, universities of applied sciences and colleges of education (Das österreichische Bildungssystem, available from [www.bildungssystem.at/](http://www.bildungssystem.at/) (accessed 2 January 2019)).

8 Statistics Austria, *Bildungsklassifikation*, available from [www.statistik.at/web\\_de/klassifikationen/klassifikationsdatenbank/weitere\\_klassifikationen/bildungsklassifikation/index.html](http://www.statistik.at/web_de/klassifikationen/klassifikationsdatenbank/weitere_klassifikationen/bildungsklassifikation/index.html) (accessed 13 November 2018).

9 These include: industrial master college, building craftsperson and master craftsperson school (*Werkmeister- und Bauhandwerkerschule*), post-secondary VET courses, add-on courses, college for higher vocational education (years 4 and 5), VET schools for adults, post-secondary colleges and initial education (*Erstausbildung*) (Statistics Austria, *Bildungsklassifikation*, available from [www.statistik.at/web\\_de/klassifikationen/klassifikationsdatenbank/weitere\\_klassifikationen/bildungsklassifikation/index.html](http://www.statistik.at/web_de/klassifikationen/klassifikationsdatenbank/weitere_klassifikationen/bildungsklassifikation/index.html) (accessed 13 November 2018)).

10 A diploma programme takes approximately 12 semesters and is completed with a *Magister/Magistra*. Before the introduction of the Bachelor's/Master's system in Austria, almost all courses of study were diploma programmes. These have now become rare (Studieren.at, *Diplomstudium* available from [www.studieren.at/uni-abc/diplomstudium/](http://www.studieren.at/uni-abc/diplomstudium/) (accessed 23 January 2019)). Students enrolled in these education institutions are granted a Temporary Residence Permit for Pupils in accordance with Art. 63 Settlement and Residence Act (written input by Margit Seidel, Federal Ministry of the Interior, 20 March 2019).

11 Statistik Austria, *Bildungsklassifikation*, available from [www.statistik.at/web\\_de/klassifikationen/klassifikationsdatenbank/weitere\\_klassifikationen/bildungsklassifikation/index.html](http://www.statistik.at/web_de/klassifikationen/klassifikationsdatenbank/weitere_klassifikationen/bildungsklassifikation/index.html) (accessed 13 November 2018).



The study focuses exclusively on full-time students. Accordingly, the following categories do not fall within the scope of this study: researchers, part-time students, family members of EU citizens from third countries, students at post-secondary VET institutions, training interns and apprentices, au pairs and persons granted international protection.

For simplification, the term “international students” is used here as defined in Art. 3 para 3 of Students and Researchers Directive (EU) 2016/801. “International students” accordingly refers to:

Third-country nationals who have been accepted by a higher education institution and are admitted to the territory of a Member State to pursue as a main activity a full-time course of study leading to a higher education qualification recognized by that Member State, including diplomas, certificates or doctoral degrees in a higher education institution, which may cover preparatory courses prior to such education, in accordance with national law, or compulsory training (Art. 3 para 3 Directive (EU) 2016/801).

Whether PhD/doctoral students fall within this category varies according to the Member State. In Austria, the category of students in degree programmes (*ordentliche Studierende*) includes individuals completing Bachelor’s, Master’s or Diploma studies as well as PhD/doctoral students.<sup>12</sup> Third-country nationals pursuing a degree programme as referred to in Art. 64 of the Settlement and Residence Act<sup>13</sup> are to be issued documents including a Temporary Residence Permit for students. PhD/doctoral students can – under certain conditions – also apply for a residence title for researchers. This means that PhD/doctoral students in Austria are considered under law to be researchers or students, thus falling within the category of individuals under study here.

12 In Austria, students can choose to study in a non-degree programme or a degree programme. Degree programmes include Bachelor’s, Master’s, diploma and PhD/doctoral programmes, while non-degree programmes are for students completing university courses or attending individual scientific courses (mdw – University of Music and Performing Arts Vienna, *Ordentliche und außerordentliche Studierende*, available from [www.mdw.ac.at/stab/studienrechtliche-bestimmungen/3--ordentliche-und-auszerordentliche-studierende](http://www.mdw.ac.at/stab/studienrechtliche-bestimmungen/3--ordentliche-und-auszerordentliche-studierende) (accessed 23 October 2018)).

13 FLG I No. 100/2005, in the version of federal law FLG I No. 56/2018.

One of the objectives of this study is to update the information reported in the 2012 EMN study on *Immigration of International students from Third Countries to Austria*,<sup>14</sup> the period examined correspondingly extends from 2013 to 2017 for statistical purposes and from 2012 to September 2018 with reference to policy and legal changes. This is to ensure that attention is given in particular to any changes resulting from implementing Students and Researchers Directive (EU) 2016/801.

### 1.3 Definitions

In addition to the definition of “international students” cited in section 1.2, the study refers to the following terms as defined in Students and Researchers Directive (EU) 2016/801 and in the EMN Glossary.<sup>15</sup>

**Employer:** Any natural person or any legal entity, including temporary work agencies, for or under the direction and/or supervision of whom employment is undertaken (EMN, 2018a:114).

**Family member:** A third-country national, as specified in Art. 4 para 1 of Directive 2003/86/EC<sup>16</sup> (normally members of the nuclear family – i.e. the spouse and the minor children), who has entered the territory of the European Union for the purpose of family reunification (EMN, 2018a:158).<sup>17</sup>

**Higher education** encompasses all tertiary institutions which may include, inter alia, universities, universities of applied science, institutes of technology, *grandes écoles*, business schools, engineering schools, IUTs,

14 Musil and Reyhani, *Immigration of International students from Third Countries to Austria* (IOM, Vienna, 2012). Available from [www.emn.at/wp-content/uploads/2017/01/Zuwanderung-internationaler-Studierender-aus-Drittstaaten-nach-%C3%96sterreich-EMN-Studie-1.pdf](http://www.emn.at/wp-content/uploads/2017/01/Zuwanderung-internationaler-Studierender-aus-Drittstaaten-nach-%C3%96sterreich-EMN-Studie-1.pdf) (accessed 29 October 2018).

15 See European Migration Network, *Asylum and Migration Glossary 6.0* (European Commission, Brussels, 2018a). Available from [www.emn.at/wp-content/uploads/2018/07/emn-glossar-5-0\\_de.pdf](http://www.emn.at/wp-content/uploads/2018/07/emn-glossar-5-0_de.pdf) (accessed 7 December 2018); European Commission, *Glossary*, available from [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en) (accessed 7 December 2018).

16 Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, OJ 2003 L 251/12.

17 Directive 2003/86/EC is at present not applicable to students (written input by Eva-Caroline Pflieger, Federal Ministry of the Interior, 22 March 2019).

colleges of higher education, professional schools, polytechnics and academies (Directive (EU) 2016/801).

**Higher education institution:** Any type of higher education institution recognized or considered as such in accordance with national law which, in accordance with national law or practice, offers recognized higher education degrees or other recognized tertiary level qualifications, whatever such establishments may be called, or any institution which, in accordance with national law or practice, offers vocational education or training at tertiary level (Art. 3 para 13 Directive (EU) 2016/801).

**Long-stay visa** means an authorization issued by a Member State as provided for in Art. 18 of the Convention Implementing the Schengen Agreement<sup>18</sup> or with the national law of a Member State not applying the Schengen acquis in full (EMN, 2018a:364).

**Residence permit:** An authorization issued using the format laid down in Regulation (EC) No 1030/2002<sup>19</sup> entitling its holder to stay legally on the territory of a Member State.

**Third-country national:** Any person who is not a citizen of the European Union within the meaning of Art. 20 para 1 of the Treaty on the Functioning of the European Union<sup>20</sup> and who is not a person enjoying the European Union right to free movement, as defined in Art. 2 para 5 of the Schengen Borders Code<sup>21</sup> (EMN, 2018a:380).

18 The Schengen acquis – Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders, OJ 2000 L 239/19.

19 Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals, OJ 2002 L 157/1.

20 Consolidated version of the Treaty on the Functioning of the European Union, OJ 2012 C 326/47.

21 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ 2016 L 77/1.

## 1.4 Methodology

The present study was conducted by the National Contact Point (NCP) Austria in the EMN within the framework of the EMN's 2017–2018 Work Programme. The study follows a common study template<sup>22</sup> with a predefined set of questions developed by the EMN, in order to facilitate comparability of the findings across all Member States.

Legislative texts, national and international publications, press releases and websites were used as sources. The study was also able to draw on continuous media monitoring information provided by the Country Office for Austria of the International Organization for Migration (IOM). The statistical data presented here were provided by Statistics Austria<sup>23</sup> and appropriately structured by the IOM Country Office for Austria.

To supplement the information obtained from secondary research, qualitative semi-structured face-to-face interviews were conducted with experts on higher education and aliens law in Austria, with additional information being requested in writing in some cases. The experts listed below participated in personal interviews:

- Izeta Dzidic, Legal Issues, and Ulrich Hörmann, head of finance, Austrian Academic Exchange Service;
- Heinz Kasparovsky, head of unit IV/13 ENIC NARIC AUSTRIA, and Christoph Ramoser, head of department for international university relations and for promotion of young scientists, Federal Ministry of Education, Science and Research;
- Rudolf Lichtmannegger, advisor tertiary education and sciences policies, and Simone Schaller, migration and integration officer, department of social policy and health, Austrian Federal Economic Chamber;
- Peter Marhold, legal advisor for foreign students, office for foreign students, Austrian National Union of Students, and co-founder of

22 See EMN, *Attracting and retaining international students in the EU Common Template for EMN Study 2018* (European Commission, Brussels, 2018b). Available from [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00\\_eu\\_attracting\\_retaining\\_students\\_final\\_specifications\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_attracting_retaining_students_final_specifications_en.pdf) (accessed 12 February 2019).

23 Statistics Austria, *Statistics in the information society*, available from [www.statistik.at/web\\_en/about\\_us/index.html](http://www.statistik.at/web_en/about_us/index.html) (accessed 3 January 2019).

helping hands – coordination office for integrative and anti-racist projects;

- Eva-Caroline Pflieger and Margit Seidel, unit V/2, residence and citizenship affairs, Federal Ministry of the Interior;
- Prof. Johannes Pollak, director, Webster University;
- Nadine Shovakar, policy advisor, Universities Austria;
- Roland Steinacher, head of studies and teaching services (DLE), University of Vienna.

The institutions and persons listed below additionally responded to a questionnaire enquiring about the measures taken, as well as good practices and challenges in attracting and retaining international students:

- Anita de Jong, head of national and international cooperation, Anton Bruckner Private University for Music, Drama and Dance;
- Heidi Esca-Scheuringer, secretariat-general, Association of Universities of Applied Sciences;
- Anita Wimmer, secretary general, faculty for medicine and dentistry, Danube Private University GmbH.

The study was compiled by Maria-Alexandra Bassermann (Research Associate, IOM Country Office for Austria) under the supervision of Julia Rutz (Head of Research and Migration Law, IOM Country Office for Austria). The sections on transnational cooperation and on the public debate were edited by Alexander Spiegelfeld (Research and Communications Associate, IOM Country Office for Austria). The sections covering statistics were compiled by Saskia Heilemann (Research Associate, IOM Country Office for Austria) and legal issues were addressed by Martin Stiller (Legal Associate, IOM Country Office for Austria).

The interviewees mentioned above deserve special thanks for sharing their knowledge and experience through personal interviews and written responses. The author wishes to thank Bernadette Hofer (Research Intern, IOM Country Office for Austria) for assistance in various matters and for research contributions.

The study was prepared in close cooperation with the Federal Ministry of the Interior.

## 2. CONTEXT

Since 2012 there have been frequent changes to provisions pertaining to international students. Related issues were shaped by legal provisions and policy decisions at national level and at the level of the European Union (EU). Thus, while focusing on the recently implemented Students and Researchers Directive (EU) 2016/801, the policy and legal context as well as related developments are examined in the following. Attention is also given to how the topic is reflected in public discussion and to what extent it is a policy priority in Austria.

### 2.1 Legal context

#### *2.1.1 Legislative developments at EU level*

With the aim of creating a legal framework for international students and other groups, the European Commission put forward a proposal in October 2002 for a directive establishing common conditions applying to third-country nationals entering and residing in Member States for the purpose of research or studies, pupil exchange, unremunerated training or voluntary service.<sup>24</sup> Under a similar name, Directive 2004/114/EC<sup>25</sup> subsequently entered into force as of December 2004, to be implemented by the Member States by January 2007. In 2016 the Council and the European Parliament adopted Students and Researchers Directive (EU) 2016/801 on the conditions of entry and residence of third-country nationals for the purpose of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.<sup>26</sup> This

24 Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purposes of studies, vocational training or voluntary service, OJ 2003 C 45E/02, COM(2002), 548 final – 2002/0242(CNS) (presented by the Commission on 7 October 2002).

25 Council Directive 2004/114/EC of 13 december 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, OJ 2004 L 375/12.

26 Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast), OJ 2016 L 132/21.

Directive is based on a recast of Directive 2004/114/EC and the 2005 Directive on researchers<sup>27</sup> as well as on evaluations of these directives by the Commission.<sup>28</sup>

Students and Researchers Directive (EU) 2016/801 clarifies the admission and residence requirements by setting out general conditions for admission as well as specific conditions for the various groups<sup>29</sup> addressed in the Directive. The new Directive still follows a sectoral approach. While it sets out uniform and binding rules on conditions for the admission of students, researchers, trainees and volunteers participating in the EU's voluntary scheme, the implementation of provisions applying to volunteers, school pupils and au-pairs is optional (European Commission, 2013:2).

The new Directive is aimed among other things at making the EU an attractive destination for international students. A specific objective is to improve conditions for mobility,<sup>30</sup> which includes allowing students to work at least 15 hours per week and to extend their stay for another nine months after graduation (see Art. 24 and 25 Directive (EU) 2016/801). Another aspect is to ensure procedural guarantees for all applicant categories, by introducing a 90-day period for deciding on applications and requiring reasons to be given for any rejection decision (see Art. 34 Directive (EU) 2016/801).

27 Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research, OJ 2005 L 289/15.

28 See European Commission, *Report from the Commission to the European Parliament and the Council on the application of Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service*, COM(2011), 587 final (European Commission, Brussels, 2011a), available from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2011:0587:FIN> (accessed 7 December 2018); European Commission, *Report from the Commission to the Council and the European Parliament on the application of Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purposes of scientific research*, COM(2011), 801 final (European Commission, Brussels, 2011b), available from <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52011DC0901> (accessed 7 December 2018).

29 These are: researchers, students, school pupils, interns, volunteers and au pairs.

30 Statement of the Councils reasons: Position (EU) No 9/2016 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing, OJ 2016 C 170/02, pp. 40–41.

### 2.1.2 Implementation of Directive (EU) 2016/801 in Austria

Students and Researchers Directive (EU) 2016/801 contains a total of 43 articles, of which only a few expressly apply to students. Consequently, the following discussion is restricted to provisions relating only to students.

The mandatory provisions of the Directive that apply to students have been implemented in Austria through the Act Amending the Aliens Law 2018.<sup>31</sup> Among the laws adapted as a result of the latter is the Settlement and Residence Act<sup>32</sup> (see section 2.1.3). The Aliens Police Act 2005<sup>33</sup> and the Act Governing the Employment of Foreign Nationals<sup>34</sup> were also amended as part of the implementation of the Directive. By way of example, a specific procedure for students who have a valid residence permit for students issued by another EU Member State was introduced in the Aliens Police Act (Art. 24 para 2 subpara 2 and Art. 31 para 1 subpara 8 Aliens Police Act),<sup>35</sup> while more options for labour market access have been provided (Art. 4 para 7 subpara 2 Act Governing the Employment of Foreign Nationals).<sup>36</sup>

It should be noted that, for some of the provisions of the Directive, there was no need to adapt current Austrian legislation, where laws applying to students already met or even surpassed the requirements set out in the Directive.<sup>37,38</sup> Mention also needs to be made of the fact that Austria has not yet implemented non-mandatory provisions of the Directive. An example cited here is Art. 15 of Directive (EU) 2016/801, which gives Member States the option of providing for an approval procedure, applying also to higher education institutions when hosting international students.

31 FLG I No. 56/2018.

32 FLG I No. 100/2005, in the version of federal law FLG I No. 56/2018.

33 Ibid.

34 FLG No. 218/1975, in the version of federal law FLG I No. 56/2018.

35 Act Amending the Aliens Law 2018, Government Proposal – Explanatory Notes, p. 13, available from [www.parlament.gv.at/PAKT/VHG/XXVI/I/I\\_00189/imfname\\_698465.pdf](http://www.parlament.gv.at/PAKT/VHG/XXVI/I/I_00189/imfname_698465.pdf) (accessed 3 January 2018).

36 Ibid., p. 44.

37 See, for example, Art. 34 para 3 Directive (EU) 2016/801, stipulating procedural guarantees, which had already been included in Art. 13 para 3 General Administrative Procedures Act 1991.

38 See, for example, Art. 64 para 4 Settlement and Residence Act. In accordance with leg. cit., the residence permit for students can be extended once for 12 months for seeking employment. Directive (EU) 2016/801 stipulates an extension of only nine months (Art 25 para 1).



Austria has not introduced a comparable procedure up to now, as is evident from Art. 64 of the Settlement and Residence Act, which defines the requirements for students wishing to obtain a residence title.

As part of the presentation of legislative changes since 2012, the following section describes both amendments deriving from the implementation of Students and Researchers Directive (EU) 2016/801 as well as major changes introduced to accommodate national interests.

### *2.1.3 Legislative changes at national level*

Austria has changed provisions of aliens law pertaining to international students in several instances since 2012.<sup>39</sup> An example here is the Temporary Residence Permit for students, as defined in Art. 64 of the Settlement and Residence Act, which was modified several times. As a result of the Act Amending the Aliens Law 2017,<sup>40</sup> the period for renewing the Temporary Residence Permit to allow holders to seek employment upon graduation was extended from six to 12 months, giving students more time to find a job once they finish their degrees in Austria.<sup>41</sup>

Yet, the most extensive adaptations resulting from Students and Researchers Directive (EU) 2016/801 were made to Art. 64 of the Settlement and Residence Act. This included amending the requirements for obtaining a students' residence title. Specifically, those applying for a Temporary Residence Permit for students are no longer required to provide evidence of suitable accommodation (Art. 1 subpara 25 Act Amending the Aliens Law 2018). In addition, the period allowed to the authorities for deciding whether to grant students' residence titles is now limited to 90 days (Art. 1 subpara 25 Act Amending the Aliens Law 2018). Because the Act Amending the Aliens Law 2018 only became effective in September 2018, it is not yet clear how the changes resulting from the Students and Researchers Directive (EU) 2016/801 – recently implemented through the Act Amending the Aliens Law 2018 – will manifest themselves in practice.<sup>42</sup>

39 For developments prior to 2012, see Reyhani and Musil, 2012:44–61.

40 FLG I No. 145/2017.

41 Act Amending the Aliens Law 2017, Government Proposal – Explanatory Notes, p. 19, available from [www.parlament.gv.at/PAKT/VHG/XXV/I/I\\_01523/imfname\\_619001.pdf](http://www.parlament.gv.at/PAKT/VHG/XXV/I/I_01523/imfname_619001.pdf) (accessed 23 October 2018).

42 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

Other changes affecting international graduates of an Austrian higher education institution relate to labour market access and the Red-White-Red Card (RWR Card). As of the Act Amending the Aliens Law 2015,<sup>43</sup> graduates can now apply for all RWR Card categories, where previously they only had access to a special RWR Card for graduates (Art. 21 para 2 subpara 8 Settlement and Residence Act; Art. 5 para 23 Act Amending the Aliens Law 2015). Another change since 2017 has been to additionally allow graduates of Bachelor's and PhD/doctoral studies to apply for the RWR Card. The validity of the RWR Card has also been extended from one to two years (Austrian Federal Economic Chamber, 2017:1). At the same time, the maximum number of weekly hours students are allowed to work has been uniformly set at 20 hours. When employed for the maximum of 20 hours per week, international students are now no longer required to pass a labour market test (Art. 4 para 7 subpara 2 Act Governing the Employment of Foreign Nationals).

With regard to future and planned amendments affecting international students, a change to the University Act 2002<sup>44</sup> has already been adopted that relates to evidence of language proficiency before admission. Where a student is unable to demonstrate German proficiency as part of admission to a public university, the rectorate is to require the applicant to pass a supplementary exam (Art. 8 Act Amending the Aliens Law 2018). In preparation for this, the Austrian Academic Exchange Service (OeAD) as well as public universities offer special university courses, including preparatory courses, in which candidates acquire the study language as well as knowledge related to the field of study, optionally completing the course with the supplementary exam (see section 7.2.3). Previously, candidates could enrol in such preparatory courses without prior language knowledge (see section 4.2.2).<sup>45</sup> From summer semester 2019, to be admitted to university courses, candidates are required to demonstrate language proficiency corresponding to the A2 level of the Common European

43 FLG I No. 70/2015.

44 FLG I No. 120/2002, in the version of federal law FLG I No. 31/2018.

45 [www.help.gv.at, Veröffentlichung im Bundesgesetzblatt: Fremdenrechtsänderungsgesetz 2018](http://www.help.gv.at/Portal.Node/hlpd/public/content/171/Seite.1711000.html), available from [www.help.gv.at/Portal.Node/hlpd/public/content/171/Seite.1711000.html](http://www.help.gv.at/Portal.Node/hlpd/public/content/171/Seite.1711000.html) (accessed 20 November 2018).

Framework of Reference for Languages (CEFR)<sup>46</sup> (Art. 8 Act Amending the Aliens Law 2018).

The 2017–2022 government programme additionally calls for a qualitative admission procedure for third-country nationals, although no related decisions or specific plans have yet been made (Austrian Federal Government, 2017:73). Besides these, no other planned changes have been announced recently.<sup>47</sup>

## 2.2 Policy context

### 2.2.1 Policy changes at EU level

The importance of attracting international students to the EU is reflected not only in legal provisions. Promoting the mobility of third-country students has been a part of EU policy since the Council Resolution of 1994 on the admission of third-country nationals to the territory of the Member States for study purposes.<sup>48</sup> The Bologna Process is also noteworthy in this context. Launched with the Bologna Declaration of 1999,<sup>49</sup> it is one of the main voluntary processes at European level, as it is now implemented in 48 States. The Bologna Process led to the establishment of the European Higher Education Area (EHEA).<sup>50</sup>

The 2015 European Agenda on Migration reiterated the need for promoting the mobility of international students, calling for the EU to provide a safe haven for those fleeing persecution and at the same time to present itself as an attractive destination for the talent and entrepreneurship of students, researchers and workers (European Commission, 2015:2). In

46 GER, *Gemeinsamer Europäischer Referenzrahmen für Sprachen*, available from [www.europaecischer-referenzrahmen.de/](http://www.europaecischer-referenzrahmen.de/) (accessed 6 November 2018).

47 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Eva-Caroline Pflieger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

48 Council Resolution of 30 November 1994 on the admission of third-country nationals to the territory of the Member States for study purposes, OJ 1996 C 274/10.

49 The Bologna Declaration of 19 June 1999 – Joint declaration of the European Ministers of Education, available from [www.eurashe.eu/library/bologna\\_1999\\_bologna-declaration-pdf/](http://www.eurashe.eu/library/bologna_1999_bologna-declaration-pdf/) (accessed 24 January 2018).

50 EHEA and Bologna process, available from [www.ehea.info/](http://www.ehea.info/) (accessed 7 December 2018).

line with this objective, the international dimension of the Erasmus+ Programme encourages student mobility from third countries, providing an opportunity for students from eligible partner countries to study in an EU Member State (ibid.:18).<sup>51</sup>

### 2.2.2 Policy changes at national level

To promote the immigration of international students, various programmes have been developed since 2012, relating in particular to information and advice.<sup>52</sup> In 2013, for example, the then Federal Ministry of Science and Research<sup>53</sup> took steps to provide information on settlement and residence. An example here is the legal counselling service set up under the Austrian Academic Exchange Service (OeAD). The OeAD has also prepared a guide on entry and residence for foreign students,<sup>54</sup> mostly recently updated in 2017<sup>55</sup> and currently under revision.<sup>56</sup> Another example is the booklet entitled *Studying & Working in Austria*<sup>57</sup> put out by the Austrian Integration Fund (ÖIF); updated in 2014, it informs students about study conditions and seeking employment upon graduation.

A number of bilateral and multilateral agreements have been signed with third countries and with universities in such States since 2012, which relate in part to higher education and thus to international students

51 European Commission, *What is Erasmus +?*, available from [http://ec.europa.eu/programmes/erasmus-plus/about\\_en](http://ec.europa.eu/programmes/erasmus-plus/about_en) (accessed 20 December 2018).

52 For developments prior to 2012, see Reyhani and Musil, 2012:38–43.

53 Since January 2018 Federal Ministry of Education, Science and Research.

54 Federal Ministry of Science and Research, *Minister Töchterle und Hundstorfer: Spürbare Verbesserung der Rahmenbedingungen für Universitätsassistenten aus Drittstaaten*. Presseausendung, Wien, 7 February 2013, available from [www.ots.at/presseausendung/OTS\\_20130207\\_OTS0083/minister-toechterle-und-hundstorfer-spuerbare-verbesserung-der-rahmenbedingungen-fuer-universitaetsassistenten-aus-drittstaaten](http://www.ots.at/presseausendung/OTS_20130207_OTS0083/minister-toechterle-und-hundstorfer-spuerbare-verbesserung-der-rahmenbedingungen-fuer-universitaetsassistenten-aus-drittstaaten) (accessed 24 October 2018).

55 Forster, M. and I., Dzidic, *Guide to Entry and Employment for International Students* (OeAD, Vienna, 2017), available from [https://oead.at/fileadmin/Dokumente/oead.at/KIM/Nach\\_Oesterreich/Einreise\\_und\\_Aufenthalt/Informationsbroschueren/Englisch/Leitfaden\\_fuer\\_internationale\\_Studierende\\_en.pdf](https://oead.at/fileadmin/Dokumente/oead.at/KIM/Nach_Oesterreich/Einreise_und_Aufenthalt/Informationsbroschueren/Englisch/Leitfaden_fuer_internationale_Studierende_en.pdf) (accessed 24 October 2018).

56 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

57 Austrian Integration Fund, *Studieren & Arbeiten in Österreich*, available from [www.integrationsfonds.at/themen/publikationen/studieren-arbeiten-in-oesterreich/](http://www.integrationsfonds.at/themen/publikationen/studieren-arbeiten-in-oesterreich/) (accessed 21 December 2018).

(AT EMN NCP, 2013:45). Examples here include the Memorandum of Understanding (2015–2016)<sup>58</sup> signed between the Cuban ministries of education and higher education and the Austrian Federal Ministry of Education and Women's Affairs,<sup>59</sup> and the Memorandum of Understanding (2016–2020) agreed with the Herzen State Pedagogical University of Russia, St. Petersburg.<sup>60</sup>

### 2.2.3 *Strategic instruments and focus*

In 2016 the then Federal Ministry of Science, Research and Economy<sup>61</sup> devised a mobility strategy for higher education, aimed at promoting transnational mobility among Austrian universities, universities of applied sciences and private universities.<sup>62</sup> The strategy set out various measures, instruments and objectives relating to internationalization and mobility, with the main target group defined as foreign students, researchers and instructors. Several of the strategic objectives refer specifically to students from third countries. These include the proposed facilitation of requirements students and researchers must meet to be admitted to Austria, and enhancing innovation in teaching and research by attracting PhD/doctoral students from third countries (Federal Ministry of Science, Research and Economy, 2016a:30, 5). Particularly in view of the latter objective, there would appear to be a clear need for action, considering the small proportion of third-country nationals among PhD/doctoral students in Austria (9% in 2017; see section 3.2). Despite these objectives relating to international students, Austria must be seen on the whole as not having any specific national or regional strategy aimed solely at actively attracting excellent international

58 Memorandum of Understanding between the Federal Ministry of Education and Women's Affairs of the Republic of Austria and the Ministry of Education of the Republic of Cuba and the Ministry of Higher Education of the Republic of Cuba concerning Cooperation in the Field of Education, 7 April 2015.

59 Since January 2018 Federal Ministry of Education, Science and Research.

60 Memorandum of Understanding between the Federal Ministry of Education and Women's Affairs of the Republic of Austria and the Herzen State Pedagogical University of Russia on Cooperation in the Field of Exchange Programs, 9 December 2015.

61 Since January 2018 Federal Ministry of Education, Science and Research.

62 Federal Ministry of Science, Research and Economy, *Hochschulmobilitätsstrategie des BMWF*, available from [www.bmdw.gv.at/Presse/PublishingImages/HMS-Mobilit%C3%A4tsstrategie%20des%20BMWF.pdf](http://www.bmdw.gv.at/Presse/PublishingImages/HMS-Mobilit%C3%A4tsstrategie%20des%20BMWF.pdf) (accessed 25 October 2018).

students<sup>63</sup> which is also supported by measures such as scholarships for living and accommodation costs.<sup>64</sup>

While the Red-White-Red Card for university graduates is considered a strategic national instrument to promote retention,<sup>65</sup> it does not qualify as a comprehensive national strategy for retaining graduates. The RWR Card, introduced as of 1 July 2011 through the Act Amending the Aliens Law 2011,<sup>66</sup> is intended to promote immigration of workers in shortage occupations and allow (highly) skilled third-country nationals to immigrate to Austria (Bittmann, 2013:16).<sup>67</sup>

With regard to retaining students, the current government's programme for 2017–2022 includes the plan to put a stronger focus on the MINT fields, meaning mathematics, information, natural sciences and technology.<sup>68</sup> Alleviating the shortage of skilled workers is one of the objectives pursued thereby (Austrian Federal Government, 2017:71). Designed to attract and retain skilled workers, the special RWR Card for skilled workers in shortage occupations is also open to international university graduates.<sup>69</sup> The majority of the 27 shortage occupations listed in 2018 involve jobs in technology – including information technology – such as university-level low-voltage electrical and telecommunications engineers, data-processing engineers, mechanical engineers and high-voltage electrical engineers.<sup>70</sup>

63 Also according to interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018; interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

64 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

65 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

66 FLG I No. 38/2011.

67 For further information please see Bittmann, 2013:14–37.

68 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018.

69 For further information please see Gächter, Koppenberg and Manahl, 2015:40–44.

70 For the full list of shortage occupations in 2018 please see Regulation for Skilled Workers 2018, FLG II No. 377/2017, available from [www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA\\_2017\\_II\\_377/BGBLA\\_2017\\_II\\_377.html](http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2017_II_377/BGBLA_2017_II_377.html) (accessed 7 January 2019).

#### *2.2.4 Attracting and retaining students as a policy priority*

The following section describes the priority given in Austrian policy to attracting and retaining international students. Priority is specifically examined on the one hand in relation to migration policy as well as in comparison with other policy areas.

Referring to the immigration of international students, a representative of the Federal Ministry of the Interior reports that, for several years, the focus has been on preventing misuse of the students' residence title, and not on attracting international students.<sup>71</sup> Educational policy has set the goal of further internationalization of universities. However, both the strategy correspondingly developed and related declarations in the 2017–2022 government programme are largely concerned with mobility among Austrian students or those from other EU countries, or university cooperation at international level (Austrian Federal Government, 2017:68, 74). Specifically attracting students from third countries plays no role here, as was confirmed by a representative of the Federal Ministry of Education, Science and Research, who cited the issue as currently not an Austrian policy priority.<sup>72</sup> It was stated in this context that the recruitment of students falls within the responsibility of the universities. This is reportedly only a minor concern for public universities, except in the case of special universities and PhD/doctoral candidates, whereas attracting students represents a priority for universities of applied sciences and private universities.<sup>73</sup>

With reference to retaining graduates, attempts have been made to facilitate labour market access for international graduates, in particular through increased eligibility for the RWR Card.<sup>74</sup> The 2017–2022 government programme also underscores the need for better career prospects for graduates, to be able to compete better in the “battle for the brightest minds” and to stem the emigration of top-level researchers (Austrian Federal

71 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018.

72 Interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018.

73 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018; interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Johannes Pollak, Webster University, 22 November 2018.

74 Interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018.

Government, 2017:74). Whether the planned measures include foreign nationals is not stated here.

Experts observe on the whole that Austria has undertaken a commitment to attract and, especially, to retain motivated, talented students from third countries. Yet they report a lack of – or currently only limited – targeted measures and cohesive structures aimed explicitly at facilitating entry, residence and, subsequently, labour market integration of such individuals.<sup>75</sup>

### 2.3 Public discussion relating to international students

International students are the subject of repeated public discussion in Austria. This takes place in forums such as parliamentary debates, political discussions and in the media. In 2017 and 2018, various related topics were discussed, some of which are presented here by way of example.

The increase in foreign students in Austria was one of the topics discussed in public. Specifically, during a discussion by the science committee of the National Council on 26 February 2018, Federal Minister for Education, Science and Research Heinz Faßmann said that he did not share the Austrian Freedom Party's concern at the rise in foreign students in Austria. The minister referred to the immigration of foreign students as adding value to the economy, saying it would be desirable for them to remain after graduation.<sup>76</sup>

Another topic was the criticism repeatedly expressed in public at how difficult it is for third-country nationals to meet the requirements for residing in Austria as students.<sup>77</sup> Factors discussed in this regard were the

75 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Peter Marhold, Austrian National Union of Students, 7 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

76 Parliament of the Republic of Austria, *Wissenschaftsminister Faßmann will mehr Kooperation zwischen Hochschulen*, Parliament correspondence No. 153, 26 February 2018, available from [www.parlament.gv.at/PAKT/PR/JAHR\\_2018/PK0153/index.shtml](http://www.parlament.gv.at/PAKT/PR/JAHR_2018/PK0153/index.shtml) (accessed 13 November 2018).

77 See, for example, Der Standard, *Hürden für Studierende aus Drittstaaten*, 7 June 2018, available from <https://derstandard.at/2000080981575/Huerden-fuer-Studierende-aus-Drittstaaten> (accessed 6 December 2018); Der Standard, *Wenn der Aufenthaltstitel Probleme im Studium macht*, 2 May 2018, available from <https://derstandard.at/2000078918298/Wenn-der-Aufenthaltstitel-Probleme-im-Studium-macht> (accessed 11 December 2018); Der Standard, *OeAD will Österreichs Studierende nach China locken*, 30 January 2018, available from <https://derstandard.at/2000073237794/OeAD-Oesterreichs-Studierende-nach-China-locken> (accessed 6 December 2018).



“heavy bureaucracy” and the need to provide evidence of accommodation and sufficient funds.<sup>78</sup> This issue was also the subject of a motion in parliament by two parties, the NEOS – The New Austria and the Liberal Forum. Here the NEOS specifically criticized the requirement for international students to provide evidence of a higher amount of funds after reaching age 24, which was claimed to be neither justified nor reasonable.<sup>79</sup>

Retaining international students in Austria was another topic discussed in the media, the occasion being an amendment to the Act Governing the Employment of Foreign Nationals 2017. This was to make it easier for international university graduates to obtain a suitable RWR Card and thus access the Austrian labour market.<sup>80</sup> Another issue discussed was that measures to retain graduates in Austria were still not working satisfactorily. Statistics from 2015–2016 were interpreted as demonstrating that 72 per cent of all PhD/doctoral graduates from non-EU countries left Austria within three years. The cause was claimed to be the bureaucratic obstacles put in the way of foreign university graduates.<sup>81</sup>

Most recently, the Act Amending the Aliens Law 2018 was a frequent topic of public discussions. With regard to attracting students, interest group representatives and university institutions criticized the draft legislation, citing among other things the language proficiency threshold, set for international students at the A2 level of the Common European Framework for Languages<sup>82</sup> (see section 4.2.2).<sup>83</sup> Specifically, the University

78 Der Standard, *Wenn der Aufenthaltstitel Probleme im Studium macht*, 2 May 2018, available from <https://derstandard.at/2000078918298/Wenn-der-Aufenthaltstitel-Probleme-im-Studium-macht> (accessed 11 December 2018).

79 Claudia Gamon and colleagues, *Entschließungsantrag betreffend Belastungen für Studierende aus Drittstaaten abbauen, 1701/A(E) vom 18. Mai 2016 (XXV.GP)*, available from [www.parlament.gv.at/PAKT/VHG/XXV/A/A\\_01701/imfname\\_532651.pdf](http://www.parlament.gv.at/PAKT/VHG/XXV/A/A_01701/imfname_532651.pdf) (accessed 6 December 2018).

80 Kleine Zeitung, *Ausländische Studenten: Leichter Zugang zum Arbeitsmarkt*, 6 April 2017, available from [www.kleinezeitung.at/wirtschaft/5197017/Beschluss\\_Auslaendische-Studenten\\_Leichter-Zugang-zum-Arbeitsmarkt](http://www.kleinezeitung.at/wirtschaft/5197017/Beschluss_Auslaendische-Studenten_Leichter-Zugang-zum-Arbeitsmarkt) (accessed 11 December 2018).

81 Wiener Zeitung, *Brain Drain „Österreich macht es uns unnötig schwer“*, 14 February 2018, available from [www.wienerzeitung.at/nachrichten/top\\_news/945537\\_Oesterreich-macht-es-uns-unnoetig-schwer.html](http://www.wienerzeitung.at/nachrichten/top_news/945537_Oesterreich-macht-es-uns-unnoetig-schwer.html) (accessed 6 Dezember 2018).

82 GER, *Gemeinsamer Europäischer Referenzrahmen für Sprachen*, available from [www.europaischer-referenzrahmen.de/](http://www.europaischer-referenzrahmen.de/) (accessed 6 November 2018).

83 Der Standard, *Hürden für Studierende aus Drittstaaten*, 7 June 2018, available from <https://derstandard.at/2000080981575/Huerden-fuer-Studierende-aus-Drittstaaten> (accessed 6 December 2018).

of Innsbruck viewed the new language clause as disadvantaging third-country students in particular, noting that in many such countries it is difficult to obtain the required language proficiency certificates.<sup>84</sup> Criticism was also levelled at the plan to require international students to enrol in a course of study involving a minimum of 60 ECTS credits,<sup>85</sup> as a prerequisite for a residence permit. According to the University of Klagenfurt, many low ECTS-credit study programmes are in fact geared towards foreign students, who would then no longer be able to access them.<sup>86</sup>

In summary, public debate in 2017 and 2018 centred especially on the overall rise in foreign students and, with specific reference to third-country nationals, on challenges arising through procedures under aliens law and on the ineffectiveness of measures to retain international university graduates. Discussion was also given to legal and policy changes, such as those entailed in the Act Amending the Aliens Law 2018.

- 84 Rectorate of the Leopold-Franzens-University Innsbruck, *Stellungnahme zum Entwurf eines Bundesgesetzes, mit dem das Niederlassungs- und Aufenthaltsgesetz, das Fremdenpolizeigesetz 2005, das Asylgesetz 2005, das BFA-Verfahrensgesetz, das BFA-Einrichtungsgesetz, das Grundversorgungsgesetz – Bund 2005, das Staatsbürgerschaftsgesetz 1985, das Universitätsgesetz 2002 und das Ausländerbeschäftigungsgesetz geändert werden (Fremdenrechtsänderungsgesetz 2018 – FrÄG 2018)*, 16 May 2018, available from [www.parlament.gv.at/PAKT/VHG/XXVI/SNME/SNME\\_00994/imfname\\_694946.pdf](http://www.parlament.gv.at/PAKT/VHG/XXVI/SNME/SNME_00994/imfname_694946.pdf) (accessed 6 December 2018).
- 85 The European Credit Transfer and Accumulation System (ECTS) is the European system for the generalized credit, transfer and accumulation of educational performance. The so-called *ECTS points* are accredited according to the estimated time and workload of average students for completing the specific courses ([www.help.gv.at/Portal.Node/hlpd/public/content/16/Seite.160120.html](http://www.help.gv.at/Portal.Node/hlpd/public/content/16/Seite.160120.html) (accessed 27 November 2018)).
- 86 University of Klagenfurt, *Stellungnahme zum Entwurf eines Bundesgesetzes, mit dem das Niederlassungs- und Aufenthaltsgesetz, das Fremdenpolizeigesetz 2005, das Asylgesetz 2005, das BFA-Verfahrensgesetz, das BFA-Einrichtungsgesetz, das Grundversorgungsgesetz – Bund 2005, das Staatsbürgerschaftsgesetz 1985, das Universitätsgesetz 2002 und das Ausländerbeschäftigungsgesetz geändert werden (Fremdenrechtsänderungsgesetz 2018 – FrÄG 2018)*, 16 May 2018, available from [www.parlament.gv.at/PAKT/VHG/XXVI/SNME/SNME\\_00996/imfname\\_694948.pdf](http://www.parlament.gv.at/PAKT/VHG/XXVI/SNME/SNME_00996/imfname_694948.pdf) (accessed 6 December 2018).

### 3. STATISTICAL OVERVIEW

The chapter below gives a summary of the number of students in Austria, first presenting some general statistics relating to Austrian students and then details on students holding third-country citizenships. Finally, data are presented on international students, who represent a subcategory of students holding third-country citizenships. International students are third-country nationals who, after completing previous education in another country, enter Austria for the sole purpose of pursuing a course of study (see also the definition of “international students” given in section 1.2).

The data presented in the chapter below encompass figures on enrolment, nationality, distribution based on the International Standard Classification of Education (ISCED),<sup>87</sup> preferred courses of study and degrees completed. The most recent data – from 2017 – are presented, while describing any changes since 2013. A detailed summary of all data for 2013–2017 that were collected for the study is found in statistical annex A.1.

#### 3.1 Students in Austria

A total of 436,672 students were enrolled in Austrian higher education institutions in 2017.<sup>88</sup> This represents about the same number as in the previous year and is almost 13,000 more than in 2013 (see tables A.1, A.4 and A.5 in annex A.1). Based on the ISCED, higher education institutions encompass:

- Upper secondary vocational schools including post-secondary vocational education and training (VET) courses (*Kollegs*) (ISCED 5, short-cycle tertiary education);<sup>89</sup>

87 Statistics Austria, *Bildungsklassifikation*, available from [www.statistik.at/web\\_de/klassifikationen/klassifikationsdatenbank/weitere\\_klassifikationen/bildungsklassifikation/index.html](http://www.statistik.at/web_de/klassifikationen/klassifikationsdatenbank/weitere_klassifikationen/bildungsklassifikation/index.html) (accessed 13 November 2018).

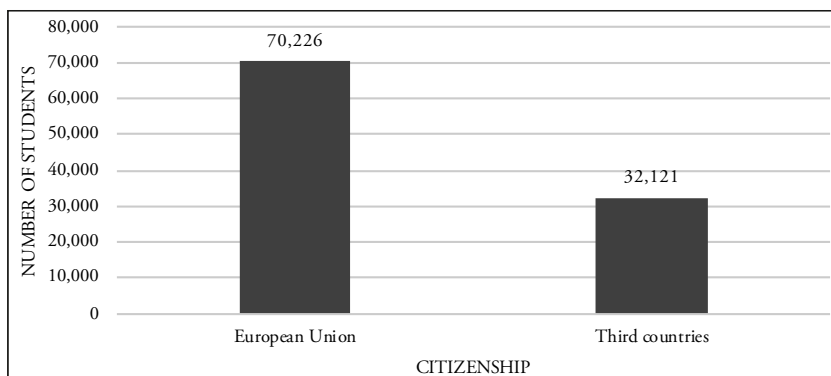
88 The year 2017 refers to the 2016/17 academic year.

89 Students enrolled in these education institutes are granted a Temporary Residence Permit for Pupils in accordance with Article 63 Settlement and Residence Act (Written input by Margit Seidel, Federal Ministry of the Interior, 20 March 2019).

- Universities of applied sciences and other higher education institutions (ISCED 6 and 7; Bachelor's and Master's/Diploma programmes);
- Public and private universities (ISCED 6, 7 and 8; Bachelor's, Master's/Diploma and PhD/doctoral programmes) (Statistics Austria, 2015:2).

Of the 436,672 students enrolled in Austrian higher education institutions in 2017, 77 per cent (or 334,326) held Austrian citizenship and 23 per cent (102,347) citizenship from another country. As shown in figure 1, 70,226 (69%) of the students holding foreign citizenship came from other Member States of the European Union (EU) and 32,121 (31%) from third countries.<sup>90</sup> Neither the numbers nor the proportions of students from Austria, other EU countries and third countries have varied much since 2013 (see tables A.1–A.5 in annex A.1).

**Figure 1: Students at Austrian higher education institutions (ISCED 5–8) holding a foreign citizenship, by nationality (2017)**



*Source:* Statistics Austria, provided on 18 October 2018, representation by author.

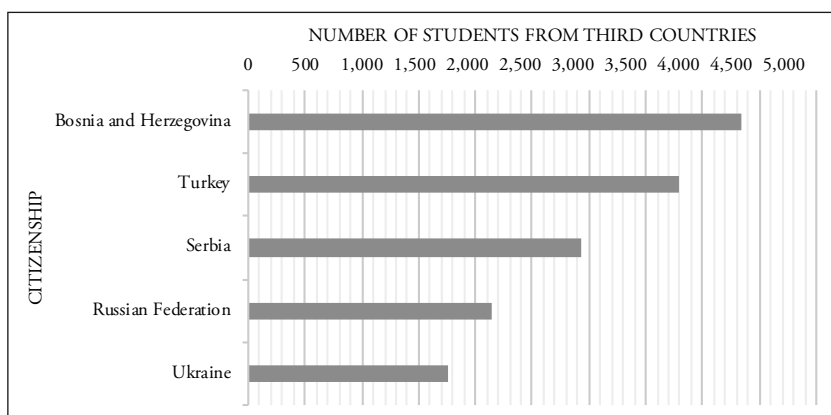
*Note:* Statistics contain rounding differences.

90 Data is rounded.

### 3.2 Students from third countries

Of the 32,121 students from third countries in 2017, the largest numbers came from five countries: Bosnia and Herzegovina (4,348), Turkey (3,799), Serbia (2,929), the Russian Federation (2,142) and Ukraine (1,755) (see figure 2).

Figure 2: Nationalities of the five largest groups of students from third countries in Austria (2017)



Source: Statistics Austria, provided on 18 October 2018, representation by author.

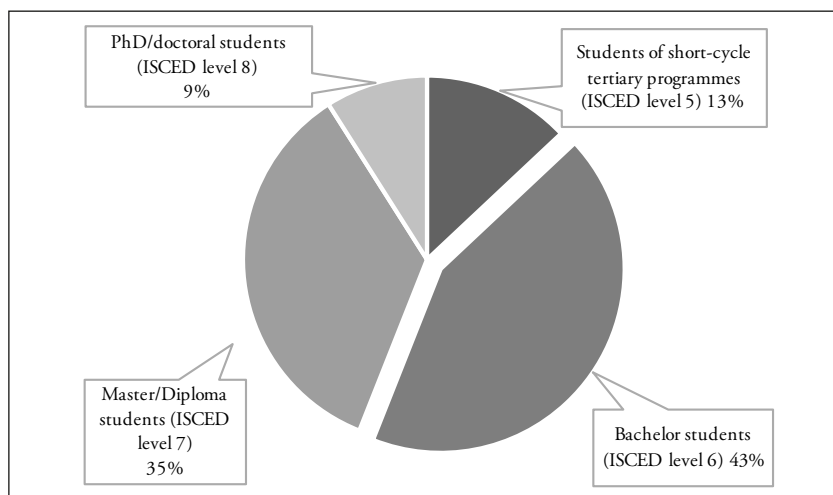
Since 2013 there has been little change in the countries from which the five largest groups of third-country students originate. While China ranked fifth among countries of origin in 2013, students from Turkey made up the largest group of third-country students up to 2015 (see tables A.1–A.3 in annex A.1).

The 32,121 students from third countries who studied at Austrian higher education institutions (ISCED 5–8) in 2017 accounted for seven per cent of all students in tertiary education. When third-country students are broken down according to the various education levels (ISCED 5–8), the following distribution results:

- 13,732 (43%) pursued a course of study at the Bachelor's level (ISCED 6);
- 11,095 (35%) were Master's/Diploma students (ISCED 7);
- 4,333 (13%) were enrolled in short-cycle tertiary education (ISCED 5);
- 2,961 (9%) pursued PhD/doctoral studies (see figure 3 and table A.5 in annex A.1).

For the sake of completeness, mention is made of the 2,123 third-country nationals who participated in an exchange programme to Austria in 2017 and are not included among the 32,121 third-country students.

**Figure 3: Students from third countries in Austria by ISCED level (2017)**



*Source:* Statistics Austria, provided on 18 October 2018, representation by author.

The number of Bachelor's students rose in particular, from 11,540 in 2013 to 13,732 in 2017, while the number studying at the Master's/ Diploma level increased from 8,715 to 11,095 during the same period. PhD/doctoral students increased only slightly in comparison, from 2,685 to 2,961 (see tables A.1–A.5 in annex A.1).

When the number of students at Austrian higher education institutions is broken down by field of study and citizenship, students from Austria, other EU countries and third countries are seen to coincide in their preferred fields of study – and thus in terms of which fields are the most popular and which are less so (see table 1). The largest shares of Austrian students (22%) as well as of students from EU countries (19%) and third countries (23%) were enrolled in the fields of business, administration or law in 2017. The fields of social sciences, journalism and information were similarly popular among EU students (likewise 19%). The smallest percentages of students were enrolled in the fields of agriculture, forestry, fisheries or veterinary studies; this was equally true for Austrians (2%), other EU citizens (2%)

and third-country nationals (1%). EU citizens and third-country nationals enrolled at a similarly low rate in fields of study related to services (both 2%).

**Table 1: Students at Austrian higher education institutions (ISCED 5–8) by field of study and nationality (2017)**

Field of study (by ISCED classification) <sup>91</sup>	Austria	European Union	Third countries	Total
01 Education	50,108	4,987	1,497	56,591
	15%	7%	5%	13%
02 Arts and humanities	30,597	10,678	4,952	46,226
	9%	15%	15%	11%
03 Social sciences, journalism and information	33,274	13,393	3,816	50,483
	10%	19%	12%	12%
04 Business, administration and law	73,986	13,302	7,453	94,741
	22%	19%	23%	22%
05 Natural sciences, mathematics and statistics	26,137	6,539	2,685	35,361
	8%	9%	8%	8%
06 Information and Communication Technologies	16,055	2,291	2,300	20,646
	5%	3%	7%	5%
07 Engineering, manufacturing and construction	57,734	9,347	6,436	73,516
	17%	13%	20%	17%
08 Agriculture, forestry, fisheries and veterinary	5,141	1,217	244	6,602
	2%	2%	1%	2%
09 Health care and welfare	24,953	7,013	1,908	33,874
	7%	10%	6%	8%
10 Services	15,570	1,263	604	17,436
	5%	2%	2%	4%
Other	771	196	227	1,195
	0%	0%	1%	0%
<b>Total (all disciplines)</b>	<b>334,326</b>	<b>70,226</b>	<b>32,121</b>	<b>436,672</b>
	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Statistics Austria, provided on 18 October 2018, representation by author.

Note: Percentages have been rounded.

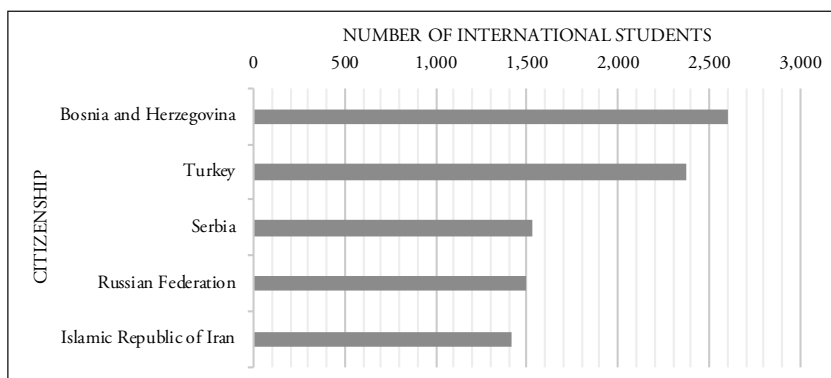
Students from third countries have increased in all fields of study since 2013. There have nonetheless not been any appreciable shifts within the distribution over the various study fields (see table A.1–A.5 in annex A.1).

91 The ranking is based on the UNESCO Institute for Statistics, *ISCED Fields of Education and Training 2013 (ISCED-F 2013)* (UNESCO Institute for Statistics, Montreal, 2014). Available from [www.statistik.at/wcm/idc/idcplg?IdcService=GET\\_PDF\\_FILE&dDocName=023239](http://www.statistik.at/wcm/idc/idcplg?IdcService=GET_PDF_FILE&dDocName=023239) (accessed 2 January 2019).

### 3.3 International students from third countries

Among international students – that is, third-country nationals previously educated in another country – who were enrolled in Austrian institutions of higher education in 2017, students from Bosnia and Herzegovina accounted for the largest group (2,607), followed by students from Turkey (2,374), Serbia (1,525), the Russian Federation (1,498) and the Islamic Republic of Iran (1,412). Thus, the four most common nationalities among international students are the same as for third-country students on the whole. Only the fifth most common country of nationality differs, being the Islamic Republic of Iran in the case of international students and Ukraine for third-country students overall (see figures 2 and 4 and annex A.1).

Figure 4: Nationalities of the five largest groups of international students from third countries in Austria (2017)



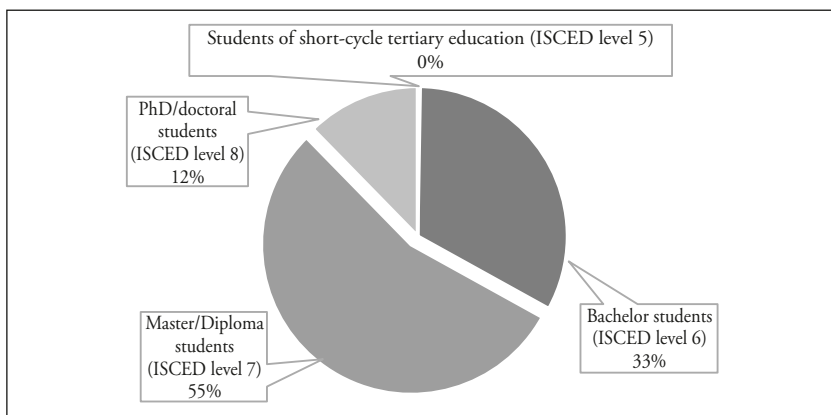
Source: Statistics Austria, provided on 18 October 2018, representation by author.

Compared with 2013, there has also been little change among the five largest groups of international students in Austria. While Turkish citizens made up the largest group of international students up to 2016, students from Bosnia and Herzegovina took over this position in 2017. The fifth largest group also changed during this period, being accounted for by students from Ukraine between 2013 and 2014 and again in 2016, and by citizens of the Islamic Republic of Iran in 2015 and 2017 (see table A.6 in annex A.1).



A total of 2,273 international students from third countries completed a course of study at an Austrian higher education institution in 2017 (see table A.7 in annex A.1). As shown in figure 5, about half of those students (55%) finished Master’s/Diploma studies (ISCED 7) in 2017. Bachelor’s (ISCED 6) graduates accounted for the second largest group (33%). Only 12 per cent completed PhD/doctoral studies (ISCED 8). The number of international students completing short-cycle tertiary education (ISCED 5) was minuscule (6 students or 0%).

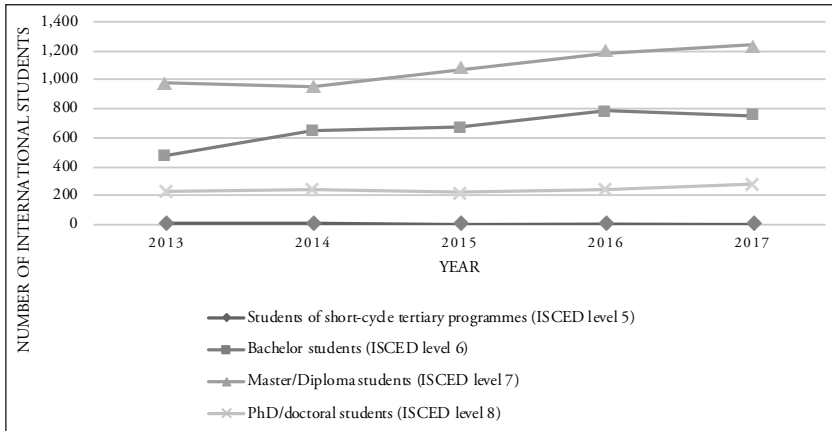
**Figure 5: International students from third countries completing studies in Austria, by ISCED level (2017)**



*Source:* Statistics Austria, provided on 18 October 2018, representation by author.

The number of international students from third countries completing short-cycle tertiary education (ISCED 5) or PhD/doctoral studies (ISCED 8) can be seen to have been relatively stable during the period of 2013–2017 (see figure 6). Graduates of a Bachelor’s course of study (ISCED 6) have generally increased in number since 2013, with the number falling in 2017 after peaking in 2016 (2013: 478 graduates; 2016: 787; 2017: 745). For graduates of a Master’s/Diploma (ISCED 7) course of study, in contrast, a consistent upward trend has been seen since 2014 (2014: 952 graduates; 2017: 1,242). In summary, international students most frequently complete a Master’s/Diploma (ISCED 7) in Austria (see figure 5) and such graduates are growing in number.

**Figure 6: International students from third countries completing studies in Austria, by ISCED level (2013–2017)**



*Source:* Statistics Austria, provided on 18 October 2018, representation by author.

## 4. AUSTRIAN HIGHER EDUCATION SYSTEM AND INTERNATIONAL STUDENTS

The following chapter presents an overview of the Austrian higher education system, describing the general structure of tertiary education as well as its main institutions and the admission procedures. Attention is also given to cooperation between higher education institutions and the authorities administering aliens law in Austria, as admission to a course of study is a prerequisite for obtaining a Temporary Residence Permit for students (see chapter 5).

### 4.1 Structure of the Austrian higher education system

The Austrian higher education system consists of a higher education sector and a non-university post-secondary sector (ISCED 5B). The higher education sector consists of four subsectors: public universities, private universities, universities of applied sciences and teacher training colleges. A separate legal basis exists for each of these subsectors.

- Public universities are “legal entities under public law having separate legal personalities”. While State-operated, they are nonetheless autonomous entities (Federal Ministry of Science, Research and Economy, 2017:20). With each of the 22 public universities, the Federal Ministry of Education, Science and Research negotiates a performance agreement serving as the institution’s detailed development plan for a given three-year period.<sup>92</sup> The performance agreements for the period of 2019–2022 are currently under negotiation.<sup>93</sup>

92 Federal Ministry of Education, Science and Research, *Leistungsvereinbarungen mit den Universitäten*, available from <https://bmbwf.gv.at/wissenschaft-hochschulen/universitaeten/nachhaltigkeit-neu/leistungsvereinbarungen-mit-den-universitaeten/> (accessed 29 October 2018).

93 Federal Ministry of Education, Science and Research, *Unifinanzierung: Start der Verhandlungen zu den Leistungsvereinbarungen 2019–2021*. Presseaussendung, Wien, 24 September 2018, available from [www.ots.at/presseaussendung/OTS\\_20180924\\_OTS0129/unifinanzierung-start-der-verhandlungen-zu-den-leistungsvereinbarungen-2019-2021](http://www.ots.at/presseaussendung/OTS_20180924_OTS0129/unifinanzierung-start-der-verhandlungen-zu-den-leistungsvereinbarungen-2019-2021) (accessed 23 November 2018).

- Private universities have varying ownership structures, with the federal provinces participating in some cases (Unger and Dibiasi, 2017:224). Private universities additionally require accreditation, that is, State recognition as higher education institutions.
- Universities of applied sciences (*Fachhochschulen*) are administrated by private or State organizations taking on varying legal forms (limited company, foundation or association) in which the provinces and/or local municipalities often hold shares (Unger and Dibiasi, 2017:224; Federal Ministry of Science, Research and Economy, 2016b:49).
- Teacher training colleges are institutions, operated either by the State or by a private organization, which have the task of educating students to work in teaching fields (Federal Ministry of Science, Research and Economy, 2016b:60–61).

The various sectors also differ with respect to funding. Based on Art. 12 para 1 of the University Act 2002,<sup>94</sup> the Federal State is responsible for funding public universities in Austria. Being autonomous entities, they receive overall funding, while also charging third-country students a tuition fee. Universities of applied sciences receive funding from the Federal State for each approved position in a course of study and may similarly charge third-country nationals a tuition fee (Art. 2 Universities of Applied Sciences Studies Act).<sup>95</sup> At private universities, the students usually cover the institution's expenses themselves (see section 4.2.3).

As of 1 January 2018, the Federal Ministry of Education, Science and Research has been the highest State authority in the higher education sector. Nonetheless, higher education institutions in Austria are directly responsible for accepting and enrolling students and subsequently for managing their courses of study. Thus, Austria has no State authority directly responsible for international students in relation to their studies or to the enrolment process.

The other main ministries involved in (international) student affairs include: the Federal Ministry of the Interior, responsible for alien affairs (including the Settlement and Residence Act, Aliens Police Act 2005, visa affairs); the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection, with competence for labour market integration and the

94 FLG I No. 120/2002, in the version of federal law FLG I No. 31/2018.

95 FLG I No. 340/1993, in the version of federal law FLG I No. 31/2018.

employment of foreign nationals; and the Federal Ministry for Europe, Integration and Foreign Affairs, responsible for visa, settlement and residence matters at Austrian representation authorities. The Austrian Academic Exchange Service (OeAD) also plays a major role in dealings with international students. The OeAD is Austria's agency for international mobility and cooperation in education, science and research.<sup>96</sup> Austrian higher education institutions are represented by four bodies: Universities Austria (uniko),<sup>97</sup> the Austrian Private Universities Conference (ÖPUK),<sup>98</sup> the Austrian Association of Universities of Applied Sciences (FHK),<sup>99</sup> and the Rectors Conference of the University Colleges of Teacher Education (RÖPH) (Musil and Reyhani, 2012:24–25).<sup>100</sup> The Austrian National Union of Students (ÖH) is the institution instated by law to represent all students in Austria (Federal Ministry of Science, Research and Economy, 2016b:75).

## 4.2 Admission to courses of study

Potential students must meet various requirements in order to be admitted to a course of study in Austria. These may include an appropriate school leaving certificate or degree and/or evidence of passing an acceptance exam, in some cases evidence of language proficiency, or payment of any applicable tuition fee and of the Students Union fee. Details are discussed in the following.

### 4.2.1 Recognition of foreign graduation certificates

In Austria, higher education institutions decide on acceptance of students for courses of study as well as on recognition of examinations and prior degrees.<sup>101</sup> Thus, the recognition of foreign graduation certificates is

96 OeAD, *Organisation und Aufgaben*, available from <https://oead.at/de/der-oead/organisation-und-aufgaben/> (accessed 23 November 2018).

97 Universities Austria, *Home*, available from <https://uniko.ac.at/> (accessed 23 November 2018).

98 ÖPUK, *Wer wir sind*, available from <https://oepuk.ac.at/ueber-die-oepuk/wer-wir-sind/> (accessed 23 November 2018).

99 Association of Universities of Applied Sciences, *The Association*, available from [www.fhk.ac.at/index.php?id=79&L=4](http://www.fhk.ac.at/index.php?id=79&L=4) (accessed 23 November 2018).

100 For further information please see Musil and Reyhani, 2012:24–25.

101 Federal Ministry of Education, Science and Research, *Wie verläuft eine Nostrifizierung?*, available from [www.bmbwf.gv.at/studium/academic-mobility/enic-naric-austria/wie-verlaeuft-eine-nostrifizierung/](http://www.bmbwf.gv.at/studium/academic-mobility/enic-naric-austria/wie-verlaeuft-eine-nostrifizierung/) (accessed 15 November 2018).

not centrally regulated in Austria. The National Academic Recognition Information Centre (ENIC-NARIC), does, however, serve as an official contact point for questions relating to the recognition of higher education in Austria; the office is set up under the Federal Ministry of Education, Science and Research. While ENIC-NARIC does not decide on recognition, it is responsible for preparing information and providing advice across all institutions, thereby playing an important role in the recognition process (Federal Ministry of Science, Research and Economy, n.d.a:1).

An Austrian academic degree is also a prerequisite in Austria for practising certain professions, such as medicine. In such cases, a foreign graduate has to apply to the appropriate Austrian university or teacher training college (Art. 90 para 2 University Act 2002). The body responsible in the particular case for legal matters relating to studies then approves recognition (termed *Nostrifizierung*; Art. 90 para 3 University Act 2002). Such a recognition process is an administrative procedure resulting in “full equality of the degree with the comparable Austrian degree, entitlement to use the equivalent Austrian academic degree and the authorization to practise a profession in Austria that is tied to a degree” (Federal Ministry of Science, Research and Economy, n.d.a:1).

#### 4.2.2 *Lack of language skills*

The University Act requires students to have an adequate level of language proficiency (Art. 63 para 1 subpara 3 University Act 2002). Specifically, to be admitted to a degree programme, a student must have “a knowledge of German or, where a course of study is conducted in English, of English at a level allowing the student to successfully pursue studies” (Art. 63 para 1 subpara 3 University Act 2002). As of the Act Amending the Aliens Law 2018, candidates are required to demonstrate language proficiency corresponding to level A2 of the Common European Framework of Reference for Languages (CEFR),<sup>102</sup> in order to be admitted to university language courses or to a supplementary examination (Art. 8 Act Amending the Aliens Law 2018). In other words, admission to a course of study in Austria is contingent on the necessary knowledge of the language of instruction, so that obtaining a students’ residence title is indirectly tied to the required language proficiency.

102 GER, *Gemeinsamer Europäischer Referenzrahmen für Sprachen*, available from [www.europaecischer-referenzrahmen.de/](http://www.europaecischer-referenzrahmen.de/) (accessed 6 November 2018).

The rule requiring evidence of proficiency in German is implemented differently depending on the course of study and the particular university. For example, the universities of Vienna, Graz and Klagenfurt as well as the technical universities of Vienna and Graz require C2-level proficiency, while the condition at the universities of Salzburg, Innsbruck and Krems is level B2 based on the CEFR. Other universities, such as the Mining University of Leoben, base language proficiency on supplementary exams, while still others require an admission procedure in German. The universities of the arts in particular require only little evidence of language knowledge; Vienna University of Applied Arts, for example, has no such requirement, while the Salzburg Mozarteum University has level A2 of the CEFR as the minimum standard for several of its courses of study (Austrian Student Ombudsman, 2018:1–6).

Universities accept various types of certificates as evidence of language proficiency. Examples of certificates and forms of evidence are listed here:

- School leaving certificate from a German-language school or an Austrian or German school in another country;
- Completion of a minimum three-year course of study at an education institution with German as the language of instruction;
- Passing of a supplementary examination in German as part of a university preparation programme at an Austrian university;<sup>103</sup>
- Austrian German Language Diploma – ÖSD certificate;
- Goethe Institute – Goethe Certificate;
- University of Vienna Language Centre – course and successful exam;
- Austrian Integration Fund B2 (Austrian Student Ombudsman, 2018:1–6).

#### *4.2.3 Tuition fees and other administrative expenses*

Students in Austria are not generally required to pay tuition fees, on condition that they remain within the regular number of semesters set for the particular course of study and are degree programme students falling under one of the categories below:

- Austrian citizen;
- Citizen of a member State of the European Union (EU) or the European Economic Area (EEA);

103 University of Vienna, *Nachweis der Deutschkenntnisse*, available from <https://slw.univie.ac.at/studieren/deutschkenntnisse/> (accessed 6 November 2018).

- Individuals entitled to admission to studies under the same terms as Austrian citizens based on an international treaty;
- Persons falling under the Regulation on Eligible Groups of Persons 2014;<sup>104</sup>
- Third-country nationals holding a Residence Permit other than for the purpose of studies as set out in Art. 64 of the Settlement and Residence Act (Art. 91 para 1 University Act 2002).

A major difference to third-country nationals holding a residence title for the purpose of studies (Art. 64 Settlement and Residence Act) arises from the above. With the exception of students from certain countries of origin, this category is not exempt from tuition fees (Art. 91 para 2 University Act 2002). To be issued confirmation of acceptance by a higher education institution, a person must pay any tuition fee before the admission deadline (Art. 61 para 1 University Act 2002). This in turn is a prerequisite for applying for a Temporary Residence Permit for students (Art. 8 subpara 8 Regulation on the Implementation of the Settlement and Residence Act)<sup>105</sup> (see section 5.2).

Depending on the type of higher education institution (public/private university, universities of applied sciences or teacher training college), tuition fees are specified either on a national basis in federal legislation, or in legislation and by the particular institution, or solely by the institution. For all (public) universities, to give an example, tuition fees are defined in the University Act 2002. Another feature in Austria is that tuition fees do not vary based on the course of study or on the level as classified in accordance with the International Standard Classification of Education (ISCED; Art. 91 para 1 University Act 2002). This means that Bachelor's, Master's and PhD/doctoral students all pay equal amounts of tuition fees. Tuition fees do vary, however, depending on the higher education institution, the type of Temporary Residence Permit held, the length of a course of study, and the third-country national's country of origin:

- Students from third countries who hold a residence title other than the one specified in Art. 64 of the Settlement and Residence Act and who exceed the prescribed length of studies by more than two semesters are, like Austrians, considered "long-term students", who

104 FLG II No. 340/2013, in the version of federal law FLG I No. 176/2013.

105 FLG II No. 451/2005, in the version of federal law FLG II No. 229/2018.



are required to pay in advance a tuition fee of EUR 363.36 per semester (or EUR 726.72 per year) (Art. 91 para 1 University Act 2002).

- Third-country students attending public universities who hold a Temporary Residence Permit for students under Art. 64 Settlement and Residence Act are required to pay a tuition fee of EUR 726.72 per semester (or EUR 1,453.44 per year) (Art. 91 para 2 University Act 2002). Public universities can, however, in the case of international students from specified third countries, refund EUR 363.36 per semester or waive the tuition fee entirely (Art. 92 para 1 subpara 3a University Act 2002 in conjunction with Art. 3 para 1 and 3, and Art. 3a para 2 Tuition Fee Regulation 2004). The Tuition Fee Regulation 2004<sup>106</sup> lists the countries falling into this category,<sup>107</sup> which are specified based on the Least Developed Countries listed in the “DAC List of ODA Recipients” (Art. 92 para 3a University Act 2002). Outside of this regulation, public universities are additionally entitled to waive the tuition fee or charge a reduced fee at their discretion.<sup>108</sup> An example here is the University of Vienna; until the 2018 summer semester, the university charged international students either a tuition fee of EUR 382.56 or none at all, instead of EUR 754.92 as prescribed under law.<sup>109</sup>
- Universities of applied sciences, or the bodies operating them, are entitled to charge degree programme students a tuition fee amounting to a maximum of EUR 363.36 per semester (Art. 2 para 1 Universities of Applied Sciences Studies Act). Students from third countries not falling under the Regulation on Eligible Groups of Persons 2014 who hold a Temporary Residence Permit for students under Art. 64 of the Settlement and Residence Act are allowed to be charged fees no higher than those required to cover expenses. This means that,

106 FLG II No. 55/2004, in the version of federal law FLG II No. 17/2017 (VfGH).

107 For the full list of countries and regions whose citizens may apply for reimbursement of (part of) the tuition fees, see Annex 1 and 2 Tuition Fee Regulation 2004. For the list of countries and regions whose citizens are granted exemption from tuition fees, see Annex 3 Tuition Fee Regulation 2004.

108 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

109 University of Vienna, *Höhe des Studien-/ÖH-Beitrags für Nicht-EU/EWR-BürgerInnen*, available from <https://slw.univie.ac.at/studieren/studienbeitrag/hoeh-nicht-euewr-buergerinnen/> (accessed 5 November 2018).

depending on the institution, tuition fees can be higher than those normally charged to this group.

- With private universities, the legal arrangements governing the relationship between students and the university are based on private law (Art. 3 para 5 Private Universities Act).<sup>110</sup> Tuition fees are not, therefore, regulated by law but set by the particular university. Private universities accordingly charge highly varying levels of tuition fees, as can be seen from the universities' websites.<sup>111</sup>

In addition to any potential tuition fee, students in Austria must also pay the Students Union fee (*ÖH-Beitrag*), currently EUR 19.20 per semester. As defined in Art. 3 of the Students Union Act 2014,<sup>112</sup> the Students Union fee is compulsory for members of the ÖH, in other words, all degree and non-degree programme students at an Austrian higher education institution (Art. 1 para 1 Students Union Act 2014). Payment is a prerequisite for admission to a course of study or for registration to continue studies (Art. 38 para 4 Students Union Act).

Additional administrative expenses can also be charged, depending on the higher education institution.<sup>113</sup> The University of Vienna, for example, charges all students (regardless of nationality) a registration fee of EUR 50 to cover admission procedures, serving mainly to ensure procedures as well as resources for conducting them.<sup>114</sup>

110 FLG I No. 74/2011.

111 See, for example, JAM – Music Lab University, *Study Fees*, available from [www.jammusiclab.com/academics/study-fees](http://www.jammusiclab.com/academics/study-fees) (accessed 26 September 2018); Danube Private University, *Studiengebühren*, available from [www.dp-uni.ac.at/de/studien/bachelor-dental-hygiene-ba/studiengebuehren](http://www.dp-uni.ac.at/de/studien/bachelor-dental-hygiene-ba/studiengebuehren) (accessed 26 September 2018); Anton Bruckner Private University Upper Austria, *Studiengebühren pro Semester*, available from [www.bruckneruni.at/de/studium/studiengebuehren/](http://www.bruckneruni.at/de/studium/studiengebuehren/) (accessed 26 September 2018); Webster University, *Graduate Tuition and Fees*, available from <http://webster.ac.at/graduate-admissions/tuition-and-fees> (accessed 5 November 2018).

112 FLG I No. 45/2014, in the version of federal law FLG I No. 31/2018.

113 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

114 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

### 4.3 Cooperation between Austrian higher education institutions and authorities administering aliens law

During the admission process and residence procedures for international students, it is often necessary for universities to cooperate with the various immigration authorities and embassies.<sup>115</sup> One representative of the University of Vienna reported for example, that the university was in constant communication with the settlement and residence authorities of the City of Vienna (Municipal Department 35), the Federal Ministry of the Interior, the Federal Ministry for Europe, Integration and Foreign Affairs, and the embassies concerned. One of the matters here is to explain to municipality authorities any changes affecting decisions on study admissions.<sup>116</sup> Conversely, immigration authorities reportedly confer with higher education institutions where, for example, a certificates are suspected as being forgeries.<sup>117</sup>

An example of multilateral cooperation is *Forum Fremdenrecht*, organized by uniko as a forum for affected stakeholders to discuss general challenges, good practices and specific problem cases, with the goal of implementing provisions of aliens law.<sup>118,119</sup> Various parties participating in the forum also expressly cited it as a good practice example, being a highly effective means of cooperation in issues relating to aliens law.<sup>120</sup> Held once or twice a year, the forum brings together stakeholders active in the field, including: the Federal Ministry for Europe, Integration and Foreign Affairs; the Federal Ministry of Education, Science and Research; the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection; Vienna

115 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

116 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

117 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

118 Universities Austria, *Fremdenrecht*, available from <https://uniko.ac.at/arbeitsbereiche/international/schwerpunkte/fremdenrecht/> (accessed 26 November 2018).

119 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

120 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

Municipal Department 35; the OeAD; uniko; FHK; the Fulbright Commission; and the ÖH.<sup>121</sup> The participants in Forum Fremdenrecht endeavour, “as unbureaucratically as possible”, to implement provisions of aliens law,<sup>122</sup> highlight and, where applicable, broadly introduce good practices, and discuss specific problem cases.<sup>123</sup> The main thrust of the forum is also networking and encouraging direct communication. The objective is stated as “making it easier for third-country nationals to study and conduct research in Austria, thereby contributing to Austria’s reputation and attractiveness as a place to pursue studies and research”.<sup>124</sup>

While periodic cooperation and exchange between higher education institutions and aliens affairs authorities does take place, it is not embedded in any structured or institutionalized mechanism. The parties cooperate and exchange on specific issues and cases. The Federal Ministry of the Interior, uniko and the University of Vienna refer here to an effective mutual exchange.<sup>125</sup> Several private universities, however, report encountering increasing difficulties when communicating with immigration authorities in the past year.<sup>126</sup>

121 Universities Austria, *Fremdenrecht*, available from <https://uniko.ac.at/arbeitsbereiche/international/schwerpunkte/fremdenrecht/> (accessed 26 November 2018).

122 Ibid.

123 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

124 Universities Austria, *Fremdenrecht*, available from <https://uniko.ac.at/arbeitsbereiche/international/schwerpunkte/fremdenrecht/> (accessed 26 November 2018).

125 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

126 Interview with Johannes Pollak, Webster University, 22 November 2018.

## 5. PROCEDURE UNDER ALIENS LAW AND RESIDENCE

With regard to attracting and retaining international students, all experts interviewed for the study cite issues relating to entry and residence as playing a major role.<sup>127</sup> Accordingly, various challenges in particular within the scope of aliens law have been identified. First, however, the types of residence titles and procedures are described briefly in the following.

### 5.1 Residence and entry options

Students have various options for obtaining a permit to reside in Austria, depending on the intended length of stay.

- Individuals staying in Austria for a maximum of six months, participating for example in a mobility programme for one semester, require, as defined in Art. 20 of the Aliens Police Act 2005<sup>128</sup> a Long-stay visa D for residence, valid for a minimum of 91 days and a maximum of six months.
- Persons with a valid resident permit for students granted by another Member State who are taking part in a Union or multilateral mobility programme or for whom an agreement between two higher education institutions is in place are permitted to reside in Austria for a maximum of 360 days, if they meet specific requirements (Art. 31 para 1 subpara 8 Aliens Police Act 2005).
- International students staying in Austria for longer than six months are issued a Temporary Residence Permit under Art. 64 of the Settlement and Residence Act;<sup>129</sup> such permits are generally valid

127 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Peter Marhold, Austrian National Union of Students, 7 November 2018; interview with Eva-Caroline Pflieger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Johannes Pollak, Webster University, 22 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

128 FLG I No. 100/2005, in the version of federal law FLG I No. 56/2018.

129 Ibid.

for one year and renewable within Austria where proof of study progress is provided (Art. 20 Settlement and Residence Act). Third-country nationals taking part in a Union or multilateral mobility programme or for whom an agreement between two higher education institutions is in place are granted a residence permit valid for two years (Art. 64 para 7 Settlement and Residence Act).

To obtain a Temporary Residence Permit for students, students must initially submit to the Austrian representation authority in a third country an application that is subsequently processed in Austria. Applicants stay outside Austria while awaiting the outcome of their applications. Once a Temporary Residence Permit has been issued, the individual receives a visa for the granting of a residence title, allowing them to enter Austria and collect the Temporary Residence Permit (Art. 21 and 22 Settlement and Residence Act, and Art. 20 and 25 Aliens Police Act 2005). Students who have entered the country regularly (either with a visa or under visa exemption) may, while legally residing in Austria, apply to the competent settlement and residence authorities to be granted a Temporary Residence Permit for students. The same applies to third-country nationals holding an Austrian secondary school leaving certificate (Art. 21 para 2 subpara 5, 6 and 9 Settlement and Residence Act).

The competent settlement and residence authorities are to decide without delay on any application for a Temporary Residence Permit for students and within a maximum of 90 days (Art. 64 para 6 Settlement and Residence Act). This processing period was specified under law in September 2018, as part of the Act Amending the Aliens Law 2018. Austrian legislation does not provide for any fast-track application for visas or residence permits. However, according to a representative of the Federal Ministry of the Interior the 90-day period to decide on any application in itself represents a shortened decision deadline.<sup>130</sup>

## **5.2 Prerequisites for a Temporary Residence Permit for students**

To apply for and be issued a Temporary Residence Permit for students, third-country nationals have to meet various admission requirements. These include, first, the general requirements set out in part one of the Settlement

130 Written input by Margit Seidel, Federal Ministry of the Interior, 20 March 2019.

and Residence Act (Art. 64 para 1 subpara 1 Settlement and Residence Act): among other things, the individual must not be banned from entry (Art. 11 para 1 subpara 1 leg. cit.) nor may entry conflict with public interests (Art. 11 para 2 subpara 1 leg. cit.), and the person must have health insurance cover valid for Austria (Art. 11 para 2 subpara 3 leg. cit.). Student applicants are now exempt from one of the requirements, namely to provide evidence of suitable accommodation, which was lifted in 2018 for the Temporary Residence Permit for students<sup>131</sup> (Art. 11 para 2 subpara 2 leg. cit.).

Besides these general requirements, applicants have to meet special conditions to be granted a Temporary Residence Permit for students. First, confirmation of acceptance by a university, university of applied sciences, accredited private university, or public or private teacher training college is necessary (Art. 8 subpara 8 Regulation on the Implementation of the Settlement and Residence Act).<sup>132</sup> Furthermore, international students, like other students in Austria, do not automatically receive health insurance cover. Rather, to obtain a Temporary Residence Permit, all international students must, like all other foreigners, have a health insurance plan that covers all risks and provides benefits in Austria (Art. 11 para 2 subpara 3 Settlement and Residence Act). In Austria students may take out self-insurance with the regional health insurance funds. These offer favorable contributions for students; contributions for the Viennese health insurance fund, for example, amount to EUR 59.57 per month in 2019.<sup>133</sup>

In addition, a residence title can only be granted to a foreigner whose stay will not result in a financial burden to an authority at any level of government (Art. 11 para 2 subpara 4 Settlement and Residence Act). A foreigner's stay incurs no financial burden where the foreigner has regular and steady personal income. Such income should allow the person to lead a life without having to claim social benefits, and correspond to the applicable reference rate defined in § 293 of the General Social Insurance Act<sup>134</sup> (Art. 11 para 5 Settlement and Residence Act). The reference rates for orphans' pensions also apply to students entering Austria alone (Abermann et al., 2016:Art. 64 para 3 Settlement and

131 For further information please see Musil and Reyhani, 2012:48–54; AT EMN NCP, 2015:31–35.

132 FLG II No. 451/2005, in the version of federal law FLG II No. 229/2018.

133 WGKK, *Beitrag*, available from [www.wgkk.at/cdscontent/?contentid=10007.725230&portal=wgkkversportal&viewmode=content](http://www.wgkk.at/cdscontent/?contentid=10007.725230&portal=wgkkversportal&viewmode=content) (accessed 11 April 2019).

134 FLG No. 189/1955, in the version of federal law FLG I No. 59/2018.

Residence Act). The corresponding amount for single persons under the age of 24 was EUR 502.24 monthly in 2018, and EUR 909.42 monthly for those 24 and over (Art. 293 General Social Insurance Act).

The primary evidence accepted as proof of sufficient funds is an appropriate amount in personal assets. Such evidence can, for example, be in the form of: an account statement; documents such as pay slips, employment contracts, preliminary agreements relating to employment or confirmation of insurance benefits (Art. 7 para 1 subpara 7 Regulation on the Implementation of the Settlement and Residence Act); proof of a scholarship (Federal Ministry of the Interior, 2016:20); or evidence of owning a business or property in one's country of origin that provides a regular income.<sup>135</sup> Another option is an Austrian resident who serves as a guarantor by signing a declaration of liability on behalf of the foreigner, here an international student (Art. 7 para 1 subpara 7 Regulation on the Implementation of the Settlement and Residence Act).

Art. 21a of the Settlement and Residence Act enumerates specific types of residence titles for which applicants must demonstrate adequate proficiency in German. This group does not include the Temporary Residence Permit for a specific purpose (Art. 8 para 1 subpara 12 Settlement and Residence Act) – the category under which the permit for students falls (Art. 64 leg. cit.). Thus, no evidence of language proficiency is required in order to be issued a Temporary Residence Permit for students. Nonetheless, a prerequisite for obtaining such a Temporary Residence Permit is admission to a university, which in turn requires sufficient language proficiency, as set out in the University Act 2002<sup>136</sup> (Art. 63 para 1 subpara 3; see section 4.2.2).

In addition, third-country nationals are required to pay fees as follows when initially applying for a Temporary Residence Permit for students:

- Application fee: EUR 120;
- Issuing fee: EUR 20;
- Personal identification fee (acceptance of photo and signature): EUR 20.<sup>137</sup>

135 Interview with Eva-Caroline Pflieger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018.

136 FLG I No. 120/2002, in the version of federal law FLG I No. 31/2018.

137 [www.help.gv.at/Portal.Node/hlpd/public/content/12/Seite.120121.html#Kosten](http://www.help.gv.at/Portal.Node/hlpd/public/content/12/Seite.120121.html#Kosten) (accessed 26 September 2018).



Foreign civil status documents may incur further expense, i.e. EUR 3.90, EUR 7.20 or EUR 14.30 depending on the document type.<sup>138</sup> In sum, international students have to pay at least EUR 160 when initially applying.

### **5.3 Temporary Residence Permit for students: renewal and withdrawal**

To renew a Temporary Residence Permit for students, the applicant must first meet the same requirements as for the initial application (such as evidence of sufficient funds; Art. 64 para 3 Settlement and Residence Act) (see section 5.2). Students must additionally submit a document from the higher education institution, certifying their study progress during the previous academic year. Documents accepted for this purpose specifically include a transcript of records, an up-to-date study record and an enrolment certificate (Art. 8 subpara 8 (b) Regulation on the Implementation of the Settlement and Residence Act). As with an initial application, the renewal fees total EUR 160 (see section 5.2).

Art. 21 of Students and Researchers Directive (EU) 2016/801 defines in detail grounds for withdrawal or non-renewal of a residence titles. One of the items left to the discretion of Member States is to withdraw a student's residence title because of not making "sufficient progress in the relevant studies in accordance with national law or administrative practice" (Art. 21 Directive (EU) 2016/801). A Temporary Residence Permit for students can be withdrawn in Austria, also possible in the sense that the authorities may refuse to renew the permit, if the individual concerned no longer meets the requirements for granting such a permit (for example, if the student is no longer enrolled in university and therefore does not study any more) or if the student fails to demonstrate progress in the relevant studies.<sup>139</sup>

Another factor is that Austrian law does not define any general period for completing a course of study. Individual study curricula can nonetheless

138 City of Vienna, *Aufenthaltsbewilligung für Studierende*, available from [www.wien.gv.at/amtshelfer/dokumente/aufenthalt/aufenthaltsbewilligung/bescheinigungen/studierender.html](http://www.wien.gv.at/amtshelfer/dokumente/aufenthalt/aufenthaltsbewilligung/bescheinigungen/studierender.html) (accessed 26 September 2018).

139 Written input by Eva-Caroline Pfleger, Federal Ministry of the Interior, 20 March 2019.

specify a maximum period,<sup>140</sup> and evidence of a certain level of progress is required if a student's residence title is to be renewed.

#### **5.4 Discussions relating to residence provisions for international students**

The experts interviewed for the study identified a number of challenges in the context of entry and residence provisions applying to international students.

Verification of documents is one of the challenges cited by representatives of the Federal Ministry of the Interior and the University of Vienna. Settlement and residence authorities, universities and embassies are repeatedly confronted with suspected forgery when applicants present documents (such as graduation certificates) to apply for admission to a course of study or, later, for a Temporary Residence Permit.<sup>141</sup> Such cases subsequently have to be investigated in consultation with any variety of institutions, including the particular university or the embassy in the applicant's country of origin.<sup>142</sup> It is in this context that the Federal Ministry of the Interior has also reported cases of individuals misusing the Temporary Residence Permit for students. A ministry representative referred to cases in which international students have allegedly used courses of study to commit acts of "evasion".<sup>143</sup> Evasion as defined here by the Federal Ministry of the Interior exists where a person applies for a residence permit but, after entering Austria, does not pursue the specified purpose, in other words does not pursue studies but gainful employment, or files an asylum application after being granted a Temporary Residence Permit for students.<sup>144</sup> Nonetheless, no precise or comprehensive data exist for such cases.

140 Studienplattform.at, *FAQ – Studienmindestdauer*, available from [www.studienplattform.at/faq](http://www.studienplattform.at/faq) (accessed 28 November 2018).

141 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

142 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

143 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018.

144 Ibid.

Several of those surveyed identified obtaining a residence permit (soon and avoiding red tape) as a general challenge in attracting international students and retaining them as immigrants.<sup>145</sup> According to a representative of Webster University, for about a year now several private universities have increasingly encountered the problem of prospective students from third countries not receiving a Temporary Residence Permit, or only after a very long delay. This has prompted Webster University to shift its focus to recruiting students from the European Union (EU).<sup>146</sup>

Experts also refer to several aspects of the procedures under aliens law as constituting a challenge or even as being problematic. Here specifically, experts active in providing legal advice to students cite more stringent verification of sufficient funds.<sup>147</sup> Students are required to provide evidence of such funds when initially applying for and later renewing a Temporary Residence Permit (see sections 5.2 and 5.3). It is reportedly difficult for certain groups to provide appropriate evidence, for instance those who come from countries where payment in cash is the rule or who present proof of a kind that, while formally in accordance with law, is not customary in Austria (for example, support from parents and relatives or proof of the sale of a flat).<sup>148</sup> In this context, the increased amounts required to be demonstrated by students aged 24 and older (under 24: EUR 502.24; 24 and above: EUR 909.42; see section 5.2) are seen as an obstacle for international students.<sup>149</sup>

145 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Rudolf Lichtmannegger and Simone Schaller, Austrian Federal Economic Chamber, 12 November 2018; interview with Johannes Pollak, Webster University, 22 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018; questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018.

146 Interview with Johannes Pollak, Webster University, 22 November 2018.

147 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

148 Ibid.

149 Claudia Angela Gamon and colleagues, *Entschließungsantrag betreffend Belastungen für Studierende aus Drittstaaten abbauen, 1701/A(E) vom 18. Mai 2016 (XXV.GP)*, available from [www.parlament.gv.at/PAKT/VHG/XXV/A/A\\_01701/imfname\\_532651.pdf](http://www.parlament.gv.at/PAKT/VHG/XXV/A/A_01701/imfname_532651.pdf) (accessed 6 December 2018); interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

The often long duration of procedures for obtaining a Temporary Residence Permit has to date been another example experts cite as a specific challenge.<sup>150</sup> An expert from ÖH referred to this overly long duration of procedures as a tangible problem for third-country nationals interested in studying in Austria.<sup>151</sup> A representative of Webster University reported that students allowed to enter the country without a visa and to submit their application directly in Austria often had to leave again before receiving a Temporary Residence Permit. This is apparently due to the fact that the procedure takes longer than the authorized period of stay, resulting in increased travel expense and an additional financial burden for international students while causing them to lose time.<sup>152</sup> The prolonged procedure can prevent students from arriving in Austria on schedule to begin classes, making them potentially miss courses. Another possible consequence, according to a representative of the Austrian National Union of Students, can be difficulty in demonstrating the required progress in studies necessary for renewing a permit.<sup>153</sup> Improvements are expected, however, after a 90-day limit for processing applications was set in September 2018.<sup>154</sup> What impact this change will have cannot yet be anticipated.

A representative of uniko identified a general challenge, that in part immigration of migrants was depicted in negative terms in the media.<sup>155</sup> Other countries consequently develop an image of Austria that involves a rather negative attitude towards migrants. According to the expert interviewed, this increasingly negative attitude could have a detrimental impact on the country's attractiveness as a place of study.<sup>156</sup>

150 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Johannes Pollak, Webster University, 22 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

151 Interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

152 Interview with Johannes Pollak, Webster University, 22 November 2018.

153 Interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

154 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

155 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

156 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Peter Marhold, Austrian National Union of Students, 7 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

The study reveals a clear tension. On the one hand are the stakeholders who say that motivated, well-qualified students should be encouraged to immigrate to Austria and who wish for the best possible terms of entry and residence. On the other hand are the challenges in relation to the legal situation for foreigners, both as related to the recent legislative changes (such as requiring A2 language proficiency prior to a university preparation course) and as perceived in administrative practice. The Federal Ministry of the Interior welcomes these changes in particular as potentially helping to improve quality at the universities as well as to prevent misuse.<sup>157</sup> Some universities and the Austrian National Union of Students view them as a detriment that harms Austria's attractiveness to students.<sup>158</sup>

157 Interview with Eva-Caroline Pfleger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018.

158 Interview with Peter Marhold, Austrian National Union of Students, 7 November 2018; interview with Johannes Pollak, Webster University, 22 November 2018.

## 6. RIGHTS OF INTERNATIONAL STUDENTS

Alongside issues relating to aliens law, the general rights of international students play a significant role in discussions centred on Austria's attractiveness as a place to study. This is shown by the fact that several sets of guidelines as well as websites provide information on this topic.<sup>159</sup> A brief summary of the subject is provided in the following, giving details about key rights such as entitlement to pursue gainful employment, to family reunification and citizenship.

### 6.1 Employment while studying

International students' right to pursue gainful employment is regulated by the Act Governing the Employment of Foreign Nationals in Austria.<sup>160</sup> International students are permitted to work at paid jobs for a maximum of 20 hours a week (Abermann, et al. 2016:Art. 64 para 8 Settlement and Residence Act). When working for pay, international students are not tied to any specific field of work, but the provisions of the Act Governing the Employment of Foreign Nationals apply nonetheless. The student's course of study must continue to be the main purpose of stay (Art. 64 para 3 Settlement and Residence Act).<sup>161</sup>

In addition, individuals who hold a Temporary Residence Permit for students and are dependently employed (working under contract for an

159 See, for example, Austrian National Union of Students, *Ausländische Studierende in Österreich*, available from [www.oeh.ac.at/downloads/auslaendische-studierende-oesterreich](http://www.oeh.ac.at/downloads/auslaendische-studierende-oesterreich) (accessed 29 November 2018); Public Employment Service, *Beschäftigung ausländischer Schülerinnen und Schüler, Studentinnen und Studenten*, available from [www.ams.at/unternehmen/service-zur-personalsuche/beschaeftigung-auslaendischer-arbeitskraefte/beschaeftigung-auslaendischer-schuelerinnen-und-schueler--studen](http://www.ams.at/unternehmen/service-zur-personalsuche/beschaeftigung-auslaendischer-arbeitskraefte/beschaeftigung-auslaendischer-schuelerinnen-und-schueler--studen) (accessed 29 November 2018); Forster, M. and I. Dzidic, *Guide to Entry and Employment for International Students* (OeAD, Vienna, 2017), available from [https://oead.at/fileadmin/Dokumente/oead.at/KIM/Nach\\_Oesterreich/Einreise\\_und\\_Aufenthalt/Informationsbroschueren/Englisch/Leitfaden\\_fuer\\_internationale\\_Studierende\\_en.pdf](https://oead.at/fileadmin/Dokumente/oead.at/KIM/Nach_Oesterreich/Einreise_und_Aufenthalt/Informationsbroschueren/Englisch/Leitfaden_fuer_internationale_Studierende_en.pdf) (accessed 24 October 2018).

160 FLG No. 218/1975, in the version of federal law FLG I No. 56/2018.

161 FLG I No. 100/2005, in the version of federal law FLG I No. 56/2018.

employer) must present a work permit (Art. 3 para 2 Act Governing the Employment of Foreign Nationals). The potential employer must apply to the Public Employment Service for such a permit, which is limited to that specific place of work and is valid for a one-year period (cf. Art. 4 para 1, Art. 6 para 1 and Art. 7 para 1 Act Governing the Employment of Foreign Nationals). The labour market test, which would otherwise be required, is waived where students are to be employed for not more than 20 hours a week (Art. 4 para 7 subpara 2 Act Governing the Employment of Foreign Nationals).

An exception exists where higher education institutions employ students, since scientific and scholarly jobs in research and teaching, like employment in teaching and the arts, do not fall under the Act Governing the Employment of Foreign Nationals, and thus require no work permit (Austrian National Union of Students, 2018:075).

International students are also allowed to be self-employed in Austria, on condition that such independent employment does not interfere with the main purpose of stay, in this case to study (Art. 64 para 3 Settlement and Residence Act). Not being subject to the Act Governing the Employment of Foreign Nationals, self-employment on the part of foreign nationals does not require a work permit (Lindmayer, 2012:11; cf. Art. 2 Act Governing the Employment of Foreign Nationals).

International students in Austria are accordingly not permitted to interrupt studies to work, as this would conflict with the purpose of their stay. This group may nonetheless work for a maximum of three months at unremunerated jobs exclusively for the purpose of allowing students to apply knowledge or acquire skills for later practice (Art. 2 para 14 and Art. 3 para 5 Act Governing the Employment of Foreign Nationals). International students are also allowed, for example, to complete vocational training, that is, a period of training required for a course or study programme (Art. 2 para 15 Act Governing the Employment of Foreign Nationals). While a work permit is not required in either case, the employer must notify the Public Employment Service and the fiscal authority in advance (Art. 3 para 5 Act Governing the Employment of Foreign Nationals).

## 6.2 Family reunification options for international students

Opportunities for family members can be one incentive for choosing a specific country as a place to study. The study therefore also looks at the topic of international students' family members. Such incentives can include the option of family reunification but also aspects of labour market access and general assistance programmes for family members.

Family members of international students in Austria may apply for a Temporary Residence Permit – Family Community (Art. 69 Settlement and Residence Act). Such a permit can only be granted to spouses, registered partners and unmarried minor children of individuals holding a Temporary Residence Permit for students (or other residence title) (Art. 2 para 1 subpara 9 Settlement and Residence Act). The family member can apply for such a permit to the competent authority representing Austria in their country of residence (Art. 3 para 3 and Art. 21 para 1 Settlement and Residence Act). Individuals entitled to enter Austria without a visa can apply in person to the competent settlement and residence authorities in Austria.

In order to employ a family member of a student in Austria, the prospective employer must apply for a work permit. The permit may, however, only be issued after a “labour market test” is conducted to decide whether the job vacancy could instead be filled by an Austrian employee or previously integrated foreign national. Once granted a work permit, a family member is allowed to pursue gainful dependent employment (work for pay under an employer) (Art. 69 Settlement and Residence Act; Art. 4 Act Governing the Employment of Foreign Nationals).<sup>162,163</sup>

## 6.3 Access to Permanent Residence – EU title and citizenship

The period during which an individual has held a Temporary Residence Permit for students can be counted towards the requirements to be met when applying for a Permanent Residence – EU title (long-term residence permit)

162 OeAD, *Drittstaatenangehörige*, available from <https://oead.at/de/nach-oesterreich/einreise-und-aufenthalt/drittstaatenangehoerige/#studierende-ohne-zulassungspruefung-aufenthalt-ueber-sechs-monate> (accessed 26 September 2018).

163 For further information on the rights of reunited family members please see Lukits, 2016:52–58.



or Austrian citizenship. It should be noted here that Austria makes a distinction between (temporary) residence and settlement. Temporary residence permits (Art. 8 para 1 subpara 12 Settlement and Residence Act) are only granted for a temporary stay in the federal territory and are granted for a specific purpose (for example for studying, school attendance or social service). This form of residence is not considered as settlement in line with the Settlement and Residence Act (Art. 2 para 1 and 2 Settlement and Residence Act). All other residence titles (Art. 8 para 1 subpara 1 to 11 Settlement and Residence Act) entitle their holder to settlement (for example Red-White-Red Card, EU Blue Card, Settlement Permit). As international students are usually granted a Temporary Residence Permit for students, this group has residence status (Art. 64 para 1 Settlement and Residence Act).

Among the requirements to be met for the Permanent Residence – EU title, third-country nationals must have “actually been settled in Austria in the last five years without interruption” (Art. 45 para 1 Settlement and Residence Act). Half of any “immediately preceding legal residence period” is to be recognized towards this five-year period (Art. 45 para 2 Settlement and Residence Act).<sup>164</sup> A stay under a Temporary Residence Permit for students also counts as a legal residence period (Art. 64 Settlement and Residence Act). A direct change from a residence permit to the Permanent Residence – EU title is not possible. Third-country nationals must in fact first hold a residence permit that entitles them to settlement.<sup>165</sup>

To be granted Austria citizenship, a person must generally have legally resided in the country for ten consecutive years and been settled for five of those years (Art. 10 Citizenship Act 1985).<sup>166</sup> There are, however, other options for obtaining Austrian citizenship, for example after six years of residence and showing exceptional integration progress (Art. 11a para 6 Citizenship Act 1985).

164 For example, if a person has resided in Austria for one year with a valid residence permit for the purpose of studying, a period of six months will be credited against the five-year time limit.

165 According to a representative of the Federal Ministry of the Interior, the Austrian legal position is in line with the European legal requirements, since counting the entire length of stay as a student is “unlawful” (Written input by Eva-Caroline Pflieger, Federal Ministry of the Interior, 22 March 2019).

166 FLG No. 311/1985, in the version of federal law FLG I No. 136/2013.

## 7. ATTRACTING INTERNATIONAL STUDENTS

The following chapter describes measures and initiatives aimed at attracting international students to Austria, or at ensuring more favourable conditions of entry and stay or study for them. These include both specific measures for attracting students as well as related orientation and hosting programmes which have been initiated jointly or separately by the State and higher education institutions. Attention is also given to the general factors that make Austria an attractive place to study for international students.

### 7.1 Specific measures to attract international students

#### *7.1.1 Advertising programmes in students' countries of origin*

Advertising of Austria as a place of study is presented in third countries, mainly through State funding at education and higher education fairs, while also being funded directly by higher education institutions.

The Austrian Academic Exchange Service (OeAD) provides a booth at each of three major international education and higher education fairs, to allow Austrian higher education institutions to present themselves. The conferences are held by: the European Association of International Education (EAIE)<sup>167</sup> for Europe; the NAFSA: Association of International Educators (NAFSA)<sup>168</sup> for North America; and the Asia-Pacific Association for International Education (APAIE),<sup>169</sup> covering Asia and the Pacific region.<sup>170</sup> At these conferences, the OeAD coordinates the activities of Austrian institutions of higher education, allowing them to present their programmes and meet with cooperation partners.<sup>171</sup>

167 EAIE, *About EAIE*, available from [www.eaie.org/about-eaie.html](http://www.eaie.org/about-eaie.html) (accessed 26 November 2018).

168 NAFSA, *About NAFSA*, available from [www.nafsa.org/About\\_Us/About\\_NAFSA/](http://www.nafsa.org/About_Us/About_NAFSA/) (accessed 26 November 2018).

169 APAIE, *About APAIE*, available from [www.apaie2019.org/about/apaie](http://www.apaie2019.org/about/apaie) (accessed 26 November 2018).

170 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

171 Ibid.

Most higher education institutions recruit their students – in general and at international level – primarily via their websites and the internet (through master portals, for example), but also to some extent at education fairs in other countries or through collaboration with foreign higher education institutions.<sup>172</sup> While advertising campaigns in other countries still mostly play a minor role for Austrian public universities, several private universities in Austria are especially active in this regard. An example here is Webster University, which works with recruiting agencies – firms paid to actively recruit students for universities – while focusing more and more on social media marketing aimed at the target group.<sup>173</sup> Another example is Anton Bruckner Private University for music, drama and dance, which offers master courses, workshops and teacher presentations in third countries, all attended by students from various international higher education institutions.<sup>174</sup>

### *7.1.2 Scholarships and financial assistance*

In Austria, scholarships for international students are awarded by the State, higher education institutions and private sector stakeholders. Other types of financial assistance, in contrast, are mostly offered by higher education institutions. Several examples of scholarship and assistance programmes are presented in the following.

State scholarships are awarded by the Federal Government and the provinces of Austria.<sup>175</sup> Such scholarships are directed specifically at either foreign or third-country students and are often awarded on the basis of special achievement or of enrolment in specified subjects or fields, sometimes in combination with social need. An example here is the Ernst Mach Grant for studying at an Austrian university of applied sciences, which is awarded by the OeAD and funded by the Federal Ministry of Education, Science and

172 Interview with Johannes Pollak, Webster University, 22 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018; questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018; questionnaire answered by Anita Wimmer, Danube Private University GmbH, 20 November 2018.

173 Interview with Johannes Pollak, Webster University, 22 November 2018.

174 Questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018.

175 For an overview of scholarships in Austria please see [grants.at](https://grants.at/) (available from <https://grants.at/> (accessed 16 November 2018)).

Research. Students from specified non-EU countries who have been accepted by an Austrian university of applied sciences either as an exchange student or as a “freemover”<sup>176</sup> are eligible to apply for a grant covering one semester or one year (4–10 months). This is a supplementary grant, meaning students have to personally provide additional funds. The grant amount is EUR 1,050 monthly. The OeAD supports grant holders, helping them take out insurance, while its housing office helps locate accommodation. Scholarship holders from non-European developing countries may also receive a travel expense subsidy of a maximum of EUR 1,000.<sup>177</sup> An example of a scholarship awarded by a federal province is the Nikolaus Harnoncourt Scholarship for the musical education of young people, offered by the Province of Styria.<sup>178</sup> It is awarded on the basis of achievement or talent and not on country of origin. Apart from scholarships, the State offers no other types of financial support (such as tax benefits) for international students in Austria.

Yet, many higher education institutions in Austria award institutional scholarships or prizes.<sup>179</sup> One example is the Danube Business School of the Danube University Krems, offering a scholarship that involves a 50 per cent reduction in tuition fees for citizens of lower income countries and countries with emerging markets.<sup>180</sup> Other higher education institutions offer scholarships for certain countries as part of mobility programmes. The University of Natural Resources and Life Sciences, for example, awards one or two-semester scholarships to students from Australia, Canada, Mexico, New Zealand, Peru and the United States of America, under joint mobility programmes with partner universities in those countries.<sup>181</sup>

176 *Freemovers* are exchange students who arrange their stay by themselves and who study at an Austrian university without participating in an exchange programme.

177 Grants.at, *Ernst Mach-Stipendium zum Studium an einer österreichischen Fachhochschule*, available from <https://grants.at/> (accessed 15 November 2018).

178 Province of Styria, *Musikpreise des Landes Steiermark*, available from [www.kultur.steiermark.at/cms/ziel/128214109/DE/](http://www.kultur.steiermark.at/cms/ziel/128214109/DE/) (accessed 15 November 2018).

179 OeAD, *Stipendien*, available from <https://oead.at/de/nach-oesterreich/stipendien/> (accessed 16 November 2018); questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

180 Danube University Krems, *Stipendien der Danube Business School*, available from [www.donau-uni.ac.at/de/departement/wirtschaft/stipendien/index.php](http://www.donau-uni.ac.at/de/departement/wirtschaft/stipendien/index.php) (accessed 16 November 2018).

181 Grants.at, *Joint Study Programme of the University of Natural Resources and Applied Life Sciences, Vienna (BOKU)*, available from <https://grants.at/> (accessed 16 November 2018).

Various universities also offer other funding options. The University of Vienna refunds half of the tuition fees to international students able to demonstrate successful completion of 16 ECTS credits during the previous academic year.<sup>182</sup> Universities of applied sciences are also allowed to exempt students from developing countries from tuition fees, where necessary.<sup>183</sup>

Private sector stakeholders in Austria, including companies, not-for-profit organizations and foundations, also award scholarships. An example is Huawei, a leading international telecommunications solutions provider, which has set up a social fund jointly with the Vienna University of Technology. The Huawei scholarship was established in cooperation with the Austrian Young Workers Movement (ÖJAB) to provide “financial support for young students who are obliged to leave their home region to complete their studies”. Through the programme, Huawei donated funds to house three students at an ÖJAB residence in 2018.<sup>184</sup>

### 7.1.3 Multilingual programmes at higher education institutions

Another factor helping to attract international students is a wide variety of study programmes in English or a language other than Austria’s national language of German. Many public and private universities in Austria consequently offer courses of study that are held entirely or partly in English.<sup>185</sup> Universities of applied sciences also provide 25 per cent of their study programmes in English.<sup>186</sup>

In some of the performance agreements between public universities and the federal State, supporting programmes or courses in a language other than German is an item cited, with an increased number of study offerings in a foreign language defined as one of the targets.<sup>187</sup> An example is the

182 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

183 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

184 ÖJAB, *Huawei-Stipendium*, available from [www.oejab.at/huawei-stipendium](http://www.oejab.at/huawei-stipendium) (accessed 16 November 2018).

185 Studienwahl.at, *Studien*, available from [www.studienwahl.at/studien/](http://www.studienwahl.at/studien/) (accessed 18 November 2018); FH Guide – das österreichische Fachhochschulportal, *alle Studiengänge*, available from [www.fachhochschulen.ac.at/de/studienangebot](http://www.fachhochschulen.ac.at/de/studienangebot) (accessed 18 November 2018).

186 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

187 Interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

performance agreement with the Graz University of Technology (TU Graz): offering an increasing number of Master's programmes in English is defined as a key element of the university's strategy for internationalizing teaching activities (TU Graz and Federal Ministry of Science, Research and Economy, 2015:8).

#### 7.1.4 Measures to support family members of international students

Austria has no State-funded measures targeted at supporting family members of international students. Various stakeholders in Austria do, however, in isolated cases as part of general counselling, provide international students with information for families. Examples include the welcome centres at several universities and counselling centres operated by the Austrian Unions of Students.<sup>188</sup> Yet such services are not targeted explicitly at international students' family members but either at all foreign students<sup>189</sup> or even at all students.<sup>190</sup> In addition, several universities of applied sciences offer legal counselling for family members.<sup>191</sup>

The OeAD implements the EU's EURAXESS – Researchers in Motion programme to support the mobility of researchers within the European Research Area.<sup>192</sup> PhD/doctoral students specifically fall under this category in Austria. EURAXESS offers support including information on childcare, schools and parental leave.<sup>193</sup>

188 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

189 See, for example, Karl-Franzens-University Graz, *Welcome Center*, available from [www.uni-graz.at/de/mitarbeiten/interessierte/welcome-center/](http://www.uni-graz.at/de/mitarbeiten/interessierte/welcome-center/) (accessed 18 November 2018); ÖH Universität Innsbruck, *Ausländische Studierende*, available from [www.oehweb.at/beratung/auslaendische-studierende/](http://www.oehweb.at/beratung/auslaendische-studierende/) (accessed 18 November 2018).

190 See, for example, Austrian National Union of Students, *Studieren mit Kind*, available from [www.oeh.ac.at/studieren-und-leben/studieren-mit-kind](http://www.oeh.ac.at/studieren-und-leben/studieren-mit-kind) (accessed 18 November 2018).

191 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

192 OeAD, *EURAXESS*, available from <https://oead.at/de/projekte/euraxess-researchers-in-motion/> (accessed 18 November 2018).

193 EURAXESS, *Day care, schooling & family related issues*, available from [www.euraxess.at/austria/information-assistance/day-care-schooling-family-related-issues](http://www.euraxess.at/austria/information-assistance/day-care-schooling-family-related-issues) (accessed 18 November 2018).

### *7.1.5 Further measures*

In addition to the incentives listed above, public and private universities as well as universities of applied sciences in Austria offer various forms of induction, such as mentoring programmes and orientation and welcoming events.<sup>194</sup> A representative of the University of Vienna emphasized in this context the University preparation programmes (see section 7.2.3).<sup>195</sup>

Several private universities also take specific measures targeted at attracting the interest of (international) students. Among them is the Anton Bruckner Private University, which organizes summer schools and international festivals each year in various fields of study, invites students to contests held at the university, and organizes cross-border and international fine arts projects and teaching activities.<sup>196</sup>

Universities of applied sciences also have various measures and incentives in place for international students. Such institutions offer, for example, wide-ranging counselling services for new students, covering subjects including laws applying to foreigners and students, while also supporting students when dealing with authorities. The universities of applied sciences also accommodate international students in crediting previous coursework and allow students, for example, to sit exams to verify acquired knowledge where no formal documentation is available.<sup>197</sup>

## **7.2 Measures for hosting international students**

The OeAD is the primary State funded entity in Austria responsible for initiatives and measures to provide international students with accommodation and orientation and induction programmes. The OeAD synthesizes information and programmes relating to a variety of topics.

194 Interview with Johannes Pollak, Webster University, 22 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018; questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018; questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

195 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

196 Questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018.

197 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

Among higher education institutions, a distinction also needs to be made between public universities on the one hand and universities of applied sciences and private universities on the other. Whereas the former tend to offer such programmes sporadically and with wide accessibility, universities of applied sciences and private universities frequently offer a broader range. Such programmes are illustrated below while referring to examples.

### *7.2.1 Orientation support*

With regard to orientation, the OeAD provides extensive support in the area of entry and residence regulations in Austria, to international students and to those providing this kind of support farther downstream, such as counsellors at the universities' offices for international students. Such support is funded by the Federal Ministry of Education, Science and Research.<sup>198</sup> The OeAD also makes available on its website a wealth of accumulated information on preparing for studies in Austria. The OeAD website was also mentioned as a good practice example for providing information to international students,<sup>199</sup> making detailed information available on studying in Austria and covering topics such as choosing a field, scholarships, entry to and staying in the country, and accommodation.<sup>200</sup> Students frequently consult the site and often mention during counselling how helpful it is, according to OeAD representatives. The site reportedly also greatly facilitates counselling, as the competent authorities, such as embassies, can at an early stage refer applicants to the sources of information that the OeAD has made available.<sup>201</sup> The ÖH also provides a wide variety of counselling services as well as information covering various aspects of studying in Austria. The higher education institutions usually refer to the information and counselling options offered by the ÖH and OeAD.<sup>202</sup>

198 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

199 Ibid.; interview with Roland Steinacher, University of Vienna, 30 October 2018.

200 OeAD, available from <https://oead.at/de/> (accessed 2 December 2018).

201 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

202 Interview with Roland Steinacher, University of Vienna, 30 October 2018; questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018.



Private universities provide additional support measures.<sup>203</sup> An example is Webster University, where every student is assigned a faculty advisor to support the student in planning courses and dealing with any other issues.<sup>204</sup>

### 7.2.2 Support in finding housing

Similar to orientation support, the OeAD also provides assistance in finding housing, through OeAD Wohnraumverwaltungs GmbH.<sup>205</sup> This is a separate service under the OeAD that makes suitable accommodation available at all university locations, to OeAD scholarship holders, visiting professors, and students and researchers from other countries.<sup>206</sup>

Private universities as well as universities of applied sciences have various programmes to support their students in finding suitable housing.<sup>207</sup> Many of the latter, for example, reserve space for international students in on-campus halls of residence or refer them to platforms offering available accommodation.<sup>208</sup>

### 7.2.3 Preparatory courses

University preparation programmes are offered in Austria by public universities and by the OeAD. These programmes are intended to help students learn German and to extend their knowledge of subjects related to their field of study. At the end of a university preparation programme, students can pass a supplementary exam qualifying them for a regular course of study. Such programmes allow students to acquire the necessary language proficiency while becoming familiar with the Austrian education system. The OeAD is the legal entity operating preparation programmes at the

203 Interview with Johannes Pollak, Webster University, 22 November 2018; questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018; questionnaire answered by Anita Wimmer, Danube Private University GmbH, 20 November 2018.

204 Interview with Johannes Pollak, Webster University, 22 November 2018.

205 OeAD Wohnraumverwaltungs GmbH is a subsidiary of OeAD.

206 OeAD Wohnraumverwaltungs GmbH, *Leitbild*, available from <https://housing.oead.at/de/home-de/leitbild> (accessed 31 December 2018).

207 Interview with Johannes Pollak, Webster University, 22 November 2018; questionnaire answered by Anita de Jong, Anton Bruckner Private University for Music, Dance and Drama, 26 November 2018; questionnaire completed by Anita Wimmer, Danube Private University GmbH, 20 November 2018.

208 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

universities of Graz, Vienna and Leoben.<sup>209</sup> Other universities offer their own programmes.<sup>210</sup> Similarly, almost every university of applied sciences offers language and orientation courses for international students.<sup>211</sup>

### 7.3 Austria's attractiveness as a place of study

Alongside the general political and legal conditions, other factors influence a country's attractiveness as a place of study. Yet, it was not possible as part of this study to carry out an extensive survey of the factors that attract international students to Austria. The following is instead based on general information, as well as the opinions of experts active in fields such as the counselling of international students. A number of socioeconomic factors play a primary role in attracting students to Austria. Experts mentioned in particular the high quality of life, especially the safe conditions in Austria.<sup>212</sup> International comparisons of living and working conditions confirm the high quality of life in Austria. The 2018 Mercer Quality of Living ranking, for example, again listed Vienna as the city with the highest quality of living.<sup>213</sup> A 2016 survey<sup>214</sup> by the European Foundation for Improvement of Living and Working Conditions rated Austria especially highly on items

209 OeAD, *Vorstudienlehrgänge*, available from <https://oead.at/de/nach-oesterreich/vorstudienlehrgaenge/> (accessed 26 September 2018).

210 See, for example, Johannes Kepler University Linz, *Vorbereitungskurse für Studienanfängerinnen*, available from [www.jku.at/studieren/studium-von-a-z/vorbereitungskurse-tn/](http://www.jku.at/studieren/studium-von-a-z/vorbereitungskurse-tn/) (accessed 26 September 2018).

211 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

212 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Federal Economic Chamber, 12 November 2018; interview with Eva-Caroline Pflieger and Margit Seidel, Federal Ministry of the Interior, 6 November 2018; interview with Johannes Pollak, Webster University, 22 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

213 MERCER, *Quality of Living Ranking*, available from <https://mobilityexchange.mercer.com/Insights/quality-of-living-rankings> (accessed 2 December 2018).

214 Eurofound, *European Quality of Life Survey 2016* (Publications Office of the European Union, Luxembourg, 2017). Available from [www.eurofound.europa.eu/sites/default/files/ef\\_publication/field\\_ef\\_document/ef1733en.pdf](http://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1733en.pdf) (accessed 6 December 2018).

such as the quality of the health-care system and public transportation (Eurofound, 2017).

In its role as a place of study, Austria has five universities that rank among the top 300 in international ratings for higher education institutions.<sup>215</sup> And tuition fees at public universities in Austria are relatively low. This feature was rated by experts in interviews as especially beneficial to its attractiveness.<sup>216</sup> With respect to specific fields of study or excellence, Austria has a reputation as a place to study music and the arts, as well as Byzantine studies, quantum physics and mining.<sup>217</sup>

Finally in this context, experts mentioned Austria's geographical location. Situated at the heart of Europe and having a close historic and economic relationship with Eastern Europe, Austria represents an attractive place of study for citizens of countries in this region (Austrian Integration Fund, 2014:6–7).<sup>218</sup>

215 Study portals bachelor, *Top Universities in Austria*, available from [www.bachelorsportal.com/ranking-country/3/austria.html](http://www.bachelorsportal.com/ranking-country/3/austria.html) (accessed 2 December 2018).

216 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

217 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018; interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Federal Economic Chamber, 12 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; Interview with Roland Steinacher, University of Vienna, 30 October 2018.

218 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

## 8. RETENTION OF INTERNATIONAL GRADUATES

The section below looks at central aspects of retaining international graduates, meaning international students who successfully complete their courses of study in Austria. Specifically, the legal framework defining the options for entering the national labour market is described briefly, along with significant measures that the stakeholders involved are undertaking in this area.

### 8.1 Measures relating to labour market access

#### *8.1.1 Renewal of residence permits to seek employment*

Third-country nationals who have successfully completed a course of study or training can renew their students' resident permits to allow them to seek employment or start a business. Renewal in this case is possible for one additional 12-month period, provided that the applicant continues to meet the general requirements for a residence title as specified in the first chapter of the Settlement and Residence Act, except for the need to provide evidence of a legal claim to accommodation (Art. 64 para 4 Settlement and Residence Act).

This option for renewing a residence permit for job-seeking or starting a business is an improvement and one of the positive changes in recent years, according to representatives of the Austrian Federal Economic Chamber and uniko. Such a renewal was previously granted for six months only, a period regarded as far too short to allow an individual to find a job and apply for a new residence title.<sup>219</sup>

#### *8.1.2 Residence titles for taking up employment*

Where an international graduate has their residence permit renewed in order to seek employment or start a business and does in fact find suitable employment, the person can change to a residence title for qualified third-

219 Interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Federal Economic Chamber, 12 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

country workers (Art. 64 para 5 Settlement and Residence Act). Art. 64 para 5 of the Settlement and Residence Act defines the residence titles for qualified third-country nationals, for which international graduates are eligible: the Red-White-Red Card (RWR Card) (Art. 41 leg. cit.), the EU Blue Card (Art. 42) and the Settlement Permit – Researcher (Art. 43c).<sup>220</sup> Employment in such cases is not, therefore, restricted to a specified field of work, although this kind of residence title is in fact for qualified skilled workers, which does entail a certain restriction.<sup>221</sup>

Graduates of Austrian higher education institutions are allowed to take up employment as key workers if they have completed courses of study at the Diploma level (and here at least at the second level – Studienabschnitt) or at the Bachelor's, Master's or PhD/doctoral level. The intended employment must additionally correspond to the person's level of education (Art. 12b para 2 Act Governing the Employment of Foreign Nationals). The criteria for ascertaining whether employment corresponds to a person's level of education are not defined in any provision of law. In practice this sometimes leads to graduates being refused key-worker status, according to a representative of the Austrian National Union of Students (ÖH).<sup>222</sup>

To obtain a residence title allowing them to take up employment, foreigners must additionally receive a specified minimum level of remuneration, based on the monthly gross minimum salary for Austrian graduates (entry-level professionals) (Art. 12b subpara 2 Act Governing the Employment of Foreign Nationals).<sup>223</sup> The minimum level of remuneration required for university graduates from third countries is lower than that specified for other foreigners applying for residence titles (cf. Art. 12 Act

220 Furthermore, international graduates have – as do other third-country nationals – the right to obtain a residence permit within the framework of family reunification with an Austrian citizen (“Family member” residence title) (Art. 64 para 5 and Art. 74 para 2 Settlement and Residence Act 2005).

221 Act Amending the Aliens Law 2018, Government Proposal – Explanatory Notes, p. 10, available from [www.parlament.gv.at/PAKT/VHG/XXVI/I/I\\_00189/imfname\\_698465.pdf](http://www.parlament.gv.at/PAKT/VHG/XXVI/I/I_00189/imfname_698465.pdf) (accessed 7 December 2018).

222 Interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

223 For 2018, this minimum salary was EUR 2,308.50 plus additional payments (migration.gv.at, *StudentInnen und StudienabsolventInnen in Österreich*, available from [www.migration.gv.at/de/formen-der-zuwanderung/dauerhafte-zuwanderung/studierende-und-studienabsolventinnen/](http://www.migration.gv.at/de/formen-der-zuwanderung/dauerhafte-zuwanderung/studierende-und-studienabsolventinnen/) (accessed 7 December 2018)).

Governing the Employment of Foreign Nationals).<sup>224</sup> No point system is defined by law for university graduates, which would serve as a qualitative basis for granting residence titles.<sup>225</sup>

### *8.1.3 Challenges during the transition from studies to working life*

Transitioning from studies to working life is referred to as a general challenge in the context of retaining international university graduates.<sup>226</sup> Various factors are at play here. Specifically, it is often difficult for third-country nationals to find jobs offering the monthly gross minimum salary necessary for obtaining the RWR Card;<sup>227</sup> in fact, it is nearly impossible for individuals to find in their specialty fields employment that pays the monthly gross minimum salary, according to a representative of the ÖH.<sup>228</sup> In the end this can mean that international university graduates do not receive residence titles even though they have an employment opportunity in Austria. Difficulties in finding suitable employment could, for example, stem from a person's lack of adequate language proficiency (Vienna Institute for Advanced Studies, 2017:265) or from the general prejudice towards third-country nationals prevalent in the labour market (Bassermann, 2018:46–48).

The experts interviewed identify another challenge in the fact that hardly anyone in Austria takes advantage of the RWR Card for university graduates.<sup>229</sup> Experts refer in this context to statistics published by the

224 According to Art. 12b Act Governing the Employment of Foreign Nationals, foreigners applying for a work permit as key workers must earn a monthly gross salary of at least 50 or, in some cases, 60 per cent of the monthly maximum contribution basis as specified in Art. 108 para 3 General Social Insurance Act (Art. 12b para 1 Act Governing the Employment of Foreign Nationals).

225 For further information please see Gächter, Koppenberg and Manahl, 2015:25.

226 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018; interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Economics Chamber, 12 November 2018; interview with Peter Marhold, Austrian National Union of Students, 7 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

227 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

228 Interview with Peter Marhold, Austrian National Union of Students, 7 November 2018.

229 Interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Economics Chambers, 12 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018.

Federal Ministry of the Interior,<sup>230</sup> which show that, as of 2017, 15,919 valid students' residence permits had been issued but only 209 valid RWR Cards had been granted to university graduates (cf. Federal Ministry of the Interior, n.d. 16, 18). This discrepancy results in a failure to sufficiently tap the potential of well-trained skilled workers already available in Austria, according to representatives of the Austrian Federal Economic Chamber.

## 8.2 Specific policy measures for labour market integration

Generally, Austria does not tend to target measures for labour market integration at specific groups but instead pursues a general integration strategy that is aimed equally at all migrants (Bassermann, 2018:73). Various measures are consequently available, of which international students can also avail themselves. Among these is the *Berufsanerkennung.at* platform (Art. 4 Recognition and Assessment Act),<sup>231</sup> a public web portal accessible for everyone, regardless of nationality and residence status.<sup>232</sup> In addition to an online guide, the site offers information on vocations and professions, recognition of qualifications, as well as related counselling centres and authorities.<sup>233, 234</sup>

## 8.3 Labour market integration measures initiated by higher education institutions and the private sector

Alongside initiatives by the State, Austrian higher education institutions and private sector stakeholders – either independently or in cooperation – have also implemented a number of projects and programmes with the objective of aiding (international) graduates in labour market entry.

230 Interview with Rudolf Lichtmanegger and Simone Schaller, Austrian Economics Chambers, 12 November 2018.

231 FLG I No. 55/2016, in the version of federal law FLG I No. 37/2018.

232 Recognition and Assessment Act, Government Proposal – Explanatory Notes, p. 3, available from [www.parlament.gv.at/PAKT/VHG/XXV/II/I\\_01084/fname\\_524424.pdf](http://www.parlament.gv.at/PAKT/VHG/XXV/II/I_01084/fname_524424.pdf) (accessed 24 May 2018).

233 *Berufsanerkennung.at*, available from [www.berufsanerkennung.at/](http://www.berufsanerkennung.at/) (accessed 31 December 2018).

234 For further information please see Bassermann, 2018:56–60.

In this context, the Best of South-East initiative, launched in 2008, has been cited as an example of good practice by a uniko expert.<sup>235</sup> This programme is operated by the Steiermärkische Sparkasse bank, together with several universities in Graz and the Mining University of Leoben.<sup>236</sup> The initiative is intended to provide opportunities for further education and accumulating experience at international level to “talented and achievement-oriented university graduates and students” from Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Slovenia, and to help such individuals enter the labour market.<sup>237</sup>

Most universities of applied sciences include a period of vocational training as part of their curricula. The universities of applied sciences, which are responsible for ensuring the quality of such training, guide students through the experience. Upon graduation, students are often hired by their former training companies, according to a spokeswoman of the FHK. The FHK spokeswoman referred to the programme as promoting the labour market integration of (international) university graduates. Yet the measure targets all students and not just those from third countries.<sup>238</sup>

Many higher education institutions invite their graduates to join alumni networks. Here again, such networks are open not only to graduates who have since left the country but to all former students.<sup>239</sup>

235 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

236 Steiermärkische Sparkasse Bank, *Scholarship “Best of South-East”*, available from [www.sparkasse.at/steiermaerkische-en/about-us/best-of-south-east](http://www.sparkasse.at/steiermaerkische-en/about-us/best-of-south-east) (accessed 3 December 2018).

237 University of Graz, *Best of South-East*, available from <https://international.uni-graz.at/de/stud/incoming/s-in-mprog/bestofsoutheast/> (accessed 3 December 2018).

238 Questionnaire answered by Heidi Esca-Scheuringer, Association of Universities of Applied Sciences, 10 December 2018.

239 See, for example, University of Vienna, *alumni uniwiien*, available from [www.alumni.ac.at/](http://www.alumni.ac.at/) (accessed 31 December 2018); University of Graz, *alumni UNI graz*, available from <https://alumni.uni-graz.at/> (accessed 31 December 2018); University of Innsbruck, *Alumni – Service*, available from [www.uibk.ac.at/transferstelle/alumni/](http://www.uibk.ac.at/transferstelle/alumni/) (accessed 31 December 2018).



## 9. TRANSNATIONAL COOPERATION

Bilateral or multilateral cooperative programmes often provide an opportunity for mobility among international students. Such transnational cooperation may take place either at State level or among higher education institutions or between individual institutions. The following section first introduces the types of agreement existing between Austria and third countries and then presents in detail examples of agreements signed between higher education institutions in Austria and in third countries.

### 9.1 Bilateral and multilateral agreements

Austria has two types of bilateral agreement with other States that specifically regulate matters including international students and cooperation in education – accords referred to as memorandums of understanding (MoUs), and scientific and technical cooperation (WTZ) agreements. Beyond this, cooperation agreements also exist that span both the bilateral and the multilateral levels. Like other countries of the European Union (EU), Austria has also signed the Lisbon Recognition Convention.<sup>240</sup> The various agreements are examined more closely in the following, while referring to States based on the list of development status groups and composition<sup>241</sup> published by the United Nations (UN).

#### *9.1.1 Agreements with States that have developed economies*

In general, with regard to international students, Austria has only a few agreements with States that have developed economies. No focus on a particular region or target group can be recognized among the existing and recently signed agreements.

240 FLG III No. 71/1999, in the version of federal law FLG III No. 115/2018.

241 UNCTAD, *Development status groups and composition*, available from [http://unctadstat.unctad.org/EN/Classifications/DimCountries\\_DevelopmentStatus\\_Hierarchy.pdf](http://unctadstat.unctad.org/EN/Classifications/DimCountries_DevelopmentStatus_Hierarchy.pdf) (accessed 12 December 2018).

A memorandum of understanding (MoU)<sup>242</sup> was signed with Israel in 2016. This formal bilateral accord stipulates Austria's commitment to scholarships in support of students from Israel.<sup>243</sup>

The Lisbon Recognition Convention is significant as a multilateral instrument for promoting mobility among international students (preamble of the Convention on the Recognition of Qualifications Concerning Higher Education in the European Region). The convention, which stipulates the terms for mutually recognizing qualifications in the (higher) education sector, applies both to members of the Council of Europe as well as non-members, including Australia, Canada and the United States.<sup>244</sup> The Austrian government's programme for 2017–2022 contains a commitment to effectively implement the principles set out in the convention (Austrian Federal Government, 2017:70).

### 9.1.2 *Agreements with States that have transition economies*

Agreements on scientific and technical cooperation (WTZ) are an important instrument for funding the travel and accommodation of international students who participate in specific research cooperation projects.<sup>245</sup> An example is the agreement signed in 2016 with Bosnia and Herzegovina (Agreement between the Government of the Republic of Austria and the Council of Ministers of Bosnia and Herzegovina on Scientific and Technological Cooperation).<sup>246</sup> Other WTZ agreements involving third countries with transition economies include those signed with Albania, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Ukraine.<sup>247</sup>

242 Memorandum of Understanding on the Cultural, Scientific and Educational Cooperation between the Government of Israel and the Government of the Republic of Austria for the years 2015–2018, 16 May 2016.

243 Federal Ministry of Education, Science and Research, *Bilaterale und regionale Bildungskooperationen*, available from <https://bildung.bmbwf.gv.at/euint/bibildung/index.html> (accessed 7 December 2018).

244 Council of Europe, *Chart of signatures and ratifications of Treaty 165*, available from [www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165/signatures](http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165/signatures) (accessed 7 December 2018).

245 OeAD, *Wissenschaftlich-Technische Zusammenarbeit (WTZ)*, available from <https://oead.at/de/projekte/internationale-kooperationen/wissenschaftlich-technische-zusammenarbeit> (accessed 7 December 2018).

246 FLG III No. 89/2017.

247 Federal Ministry for Europe, Integration and Foreign Affairs, *Liste der Abkommen über wissenschaftlich-technische Zusammenarbeit (WTZ)*, available from [www.bmeia.gv.at/europa-aussenpolitik/auslandskultur/abkommen/liste-der-wtz-abkommen/](http://www.bmeia.gv.at/europa-aussenpolitik/auslandskultur/abkommen/liste-der-wtz-abkommen/) (accessed 7 December 2018).

Alongside WTZ agreements, accords also exist that regulate cultural matters. Being State treaties, such agreements frequently contain terms relating to the education sector. Work programmes are periodically negotiated based on these cultural agreements,<sup>248</sup> for example in the case of Albania, with which a work programme for 2016–2020 has been stipulated. Among the items specified here is to target existing scholarships in order to promote cooperation in higher education as well as mobility among international students.<sup>249</sup>

With respect to scientific and technical as well as cultural agreements, Austria can be seen to be pursuing a regional focus on Central and Eastern Europe, but not on any specific target group. The picture is different for MoUs covering the education sector. An accord signed with Armenia in 2015<sup>250</sup> provides for cooperation among teacher training colleges, in addition to advanced courses in Austria for German teachers from Armenia. Another item is a proposal for extensive exchange in the area of basic and advanced vocational education, with the tourism industry named as a special focus in these activities.<sup>251</sup>

A significant instrument for promoting multilateral cooperation is the Central European Exchange Programme on University Studies (CEEPUS), of which 17 countries are members and which has had some 50,000 participants since 1995 (Federal Ministry of Education, Science and Research, 2017:286). The two main objectives of CEPUS III, the third

248 Federal Chancellery, *Bilaterale Kulturkooperationen und Vereinbarungen*, available from [www.kunstkultur.bka.gv.at/bilaterale-kulturkooperationen-und-vereinbarungen](http://www.kunstkultur.bka.gv.at/bilaterale-kulturkooperationen-und-vereinbarungen) (accessed 7 December 2018).

249 Protocol of the 3rd session of the mixed Austrian-Albanian Commission for Cooperation in the Fields of Culture, Education and Science for the years 2016–2020, 7 and 8 November 2016, available from [www.kunstkultur.bka.gv.at/documents/340047/394464/KA+mit+Albanien.pdf/f928c797-477c-47c4-bd0f-ee898f29c8ae](http://www.kunstkultur.bka.gv.at/documents/340047/394464/KA+mit+Albanien.pdf/f928c797-477c-47c4-bd0f-ee898f29c8ae) (accessed 7 December 2018).

250 Memorandum of Understanding between the Federal Ministry for Education and Women's Affairs of the Republic of Austria and the Ministry of Education and Science of Armenia concerning cooperation in the Fields of Education, 8 April 2015.

251 See, for example, Memorandum of Understanding between the Federal Ministry for Education and Women's Affairs of the Republic of Austria and the Ministry of Education and Science of Armenia concerning cooperation in the Fields of Education, 8 April 2015; Memorandum of Understanding between the Federal Ministry for Education and Women's Affairs of the Republic of Austria and the Ministry of Education and Science of Georgia concerning cooperation in the Fields of Education, 2 October 2014.

work programme, are (1) to focus on joint PhD programs and (2) to promote cooperation in the framework of the EU Strategy for the Danube Region (EUSDR).<sup>252</sup> One of the items set out in the work programme is to award scholarships for three to 10 months, while allowing longer stays for PhD/doctoral students.<sup>253</sup> A challenge cited by the OeAD in connection with both the multilateral CEEPUS agreement and the Erasmus Programme is the continued imbalance in mobility flows in some cases. Even though the numbers have improved, students from Central and Eastern Europe who travel to Austria for studies continue to outnumber exchange students from EU countries studying in South-Eastern Europe. Yet, as is noted, this is an overall problem in Europe that does not affect Austria alone.<sup>254</sup> Despite this challenge, the CEEPUS programme is nonetheless an example of good practice for multilateral cooperation, according to the OeAD.<sup>255</sup>

### 9.1.3 Agreements with States that have developing economies

Within the group of States that have developing economies, China, India, South Africa and the Republic of Korea are countries with which Austria currently has bilateral WTZ agreements.<sup>256</sup> However, no such agreements have been signed since 2012 with States that have developing economies.<sup>257</sup> Austria concluded a cultural agreement with Brazil in 2013. In it, the signatory States welcome prospects such as the exchange of students, while encouraging cooperation and mutual study programmes in both countries (Art. 1 Framework Agreement between the Government of the Republic of Austria and the Government of the Federative Republic of Brazil on Cooperation in Education and Higher Education).<sup>258</sup> Austria signed an MoU with South

252 CEEPUS, *CEEPUS at a glance*, available from [www.ceepus.info/default.aspx?CMSPage=65#nbb](http://www.ceepus.info/default.aspx?CMSPage=65#nbb) (accessed 6 December 2018).

253 CEEPUS III Work Programme 2017–2019 Adopted Text, pp. 3–4, available from [www.ceepus.info/files/c3/gi/C3WorkProgram.pdf](http://www.ceepus.info/files/c3/gi/C3WorkProgram.pdf) (accessed 6 December 2018).

254 Interview with Izeta Dzidic and Ulrich Hörmann, OeAD, 25 October 2018.

255 Ibid.

256 OeAD, *Wissenschaftlich-Technische Zusammenarbeit (WTZ)*, available from <https://oead.at/de/projekte/internationale-kooperationen/wissenschaftlich-technische-zusammenarbeit> (accessed 7 December 2018).

257 Federal Ministry for Europe, Integration and Foreign Affairs, *Liste der Abkommen über wissenschaftlich-technische Zusammenarbeit (WTZ)*, available from [www.bmeia.gv.at/europa-aussenpolitik/auslandskultur/abkommen/liste-der-wtz-abkommen/](http://www.bmeia.gv.at/europa-aussenpolitik/auslandskultur/abkommen/liste-der-wtz-abkommen/) (accessed 7 December 2018).

258 FLG III No. 122/2017.

Africa in 2015.<sup>259</sup> The agreement is aimed at promoting the exchange of scientists, researchers and experts in the context of scientific and technical projects.<sup>260</sup> Apart from these conventional agreements, during an official visit by a scientific delegation in 2017, the OeAD signed a cooperation agreement with the Islamic Republic of Iran that stipulates the terms of a programme entitled IMPULSE Iran-Austria. A total of EUR 400,000 is available for funding strategic teaching and research partnerships and promoting mobility projects.<sup>261</sup> No special focus on any region or target group can be identified among the agreements with States having developing economies.

## 9.2 Transnational initiatives and cooperation between higher education institutions

Many Austrian universities have institutional partnerships, or agreements or initiatives involving cooperation, with higher education institutions in third countries. Here cooperation takes place within specific projects, programmes, institutions or networks (Federal Ministry of Education, Science and Research, 2018:44). Alongside partnerships between entire universities, many agreements have been signed between faculties, study programmes or university departments.<sup>262</sup> The University of Vienna, for example, listed 61 faculty-level partners outside Europe in 2018 (University of Vienna, 2018:21).

An example of a partnership among entire universities is ASEA-UNINET, a network comprising universities in Europe and Southern and Eastern Asia. One of the objectives of the network, founded in 1994, is to promote the exchange of students and university staff.<sup>263</sup> The universities

259 Memorandum of Understanding between the Federal Ministry of Science, Research and Economy of the Republic of Austria and the Department of Science and Technology of the Republic of South Africa on Scientific and Technological Cooperation, 21 August 2015.

260 Ibid.: Introduction.

261 OeAD, *OeAD verhandelt neues Programm in Teheran*, 26 January 2017, available from <https://oead.at/de/aktuelles/artikel/2017/01/oead-verhandelt-neues-programm-in-teheran/> (accessed 8 December 2018).

262 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

263 ASEA-UNINET, *Mission Statement*, available from <https://asea-uninet.org/about-us/mission-vision-statement/> (accessed 6 December 2018).

participating in the network signed a framework agreement in 2014, aimed at facilitating the pursuit of studies and research programmes within ASEA-UNINET. One of the items agreed on was to waive any tuition fees for students participating in such programmes.<sup>264</sup>

Another example of university-level cooperation is the EU's Erasmus+ Programme, which is also open to individuals and organizations from third countries.<sup>265</sup> One aspect of this programme is the Erasmus Mundus Joint Master Degree study programmes. Here mobility of students from third countries is encouraged by offering courses of study at several locations within and outside the EU.<sup>266</sup> More than 14,500 scholarships<sup>267</sup> were awarded to third-country students in the period 2004–2015 (European Union 2016:7). Of the 42 programmes the European Commission has approved, Austrian higher education institutions serve as coordinators in five cases. The programmes coordinated by Austrian universities are subsequently able to award approximately 350 scholarships for a total budget of almost EUR 16.7 million.<sup>268</sup> Among the higher education institutions taking part are schools in China, India and Singapore.<sup>269</sup>

Referring to Erasmus+, a representative of the University of Vienna criticized the lack of consideration given to social issues in the mobility programmes. International students require more help, in organizing their living environment in their host countries and in ensuring their income needs, in particular where students relocate to high-income countries. More

264 ASEA-UNINET, *Umbrella Agreement*, available from <https://asea-uninet.org/about-us/umbrella-agreement/> (accessed 6 December 2018).

265 European Commission, *Erasmus+ – Who can take part?*, available from [https://ec.europa.eu/programmes/erasmus-plus/about/who-can-take-part\\_en](https://ec.europa.eu/programmes/erasmus-plus/about/who-can-take-part_en) (accessed 7 December 2018).

266 See Erasmus+ KA1, *Erasmus+ KA1 – Erasmus Mundus Joint Master Degrees Call for proposals [sic!] EAC/A05/2017 2018\_EMJMD-Selection results (#44)*, available from [https://eacea.ec.europa.eu/sites/eacea-site/files/2018\\_emjmd\\_selection\\_results\\_final.pdf](https://eacea.ec.europa.eu/sites/eacea-site/files/2018_emjmd_selection_results_final.pdf) (accessed 7 December 2018).

267 Calculation by author.

268 OEAD, *Erasmus Mundus 2018 – großer Erfolg für Österreich*, 2 July 2018, available from <https://oead.at/en/news/article/2018/07/erasmus-mundus-2018-grosser-erfolg-fuer-oesterreich/> (accessed 6 December 2018).

269 See Erasmus+ KA1, *Erasmus+ KA1 – Erasmus Mundus Joint Master Degrees Call for proposals [sic!] EAC/A05/2017 2018\_EMJMD-Selection results (#44)*, available from [https://eacea.ec.europa.eu/sites/eacea-site/files/2018\\_emjmd\\_selection\\_results\\_final.pdf](https://eacea.ec.europa.eu/sites/eacea-site/files/2018_emjmd_selection_results_final.pdf) (accessed 7 December 2018).

assistance could be provided, especially by the European Union but also by the bodies at national level. The representative regards local, national and European cooperation in principle as an effective means of attracting international students from third countries, especially in view of limited resources.<sup>270</sup>

The Federal Ministry of Education, Science and Research cited institutional partnerships among universities as an example of good practice. Such partnerships often exemplify highly effective, long-term cooperation, it is noted.<sup>271</sup> Cooperation takes place under partnerships between entire universities, as well as within the framework of agreements between faculties, study programmes and departments. Experts from the University of Vienna, uniko and Webster University additionally referred to these varied forms of cooperation as good practices to encourage overall the exchange and mobility of (international) students.<sup>272</sup> One specific positive example mentioned by the uniko representative is the University of Vienna's strategic partnership with the University of Chicago, the Hebrew University of Jerusalem and Kyoto University.<sup>273</sup> The partnership involves close collaboration in diverse aspects of research, teaching and administration, with student exchange serving as the basis.<sup>274</sup>

### 9.3 Brain drain

Brain drain is a phenomenon defined as “the loss suffered by a country as a result of the emigration of a (highly) qualified person” (EMN, 2018a:51). The specific losses resulting from brain drain include (1) the loss of ideas; (2) the loss of the investment in the education and training of

270 Interview with Roland Steinacher, University of Vienna, 30 October 2018.

271 Interview with Heinz Kasparovsky and Christoph Ramoser, Federal Ministry of Education, Science and Research, 7 November 2018.

272 Interview with Johannes Pollak, Webster University, 22 November 2018; interview with Nadine Shovakar, Universities Austria, 6 November 2018; interview with Roland Steinacher, University of Vienna, 30 October 2018.

273 Interview with Nadine Shovakar, Universities Austria, 6 November 2018.

274 University of Vienna, *Strategische Partnerschaften*, available from <https://international.univie.ac.at/cooperation-hei-projects/strategische-partnerschaften/> (accessed 11 December 2018).

the emigrant; and (3) the loss of key workers in fields such as education and health care (OECD, 2007:70–71).

While brain drain is often discussed in Austria, such discussions usually centre on the emigration of university graduates in general and the ensuing negative impact on Austria.<sup>275</sup> Austria has only few specific measures aimed at avoiding brain drain from third countries. One such measure can be recognized in scholarships awarded on condition that the recipient will return to their home country.<sup>276</sup> The APPEAR programme, for example, awards such a scholarship. The programme, under Austrian development cooperation (OEZA), awards scholarships to international students to pursue Master's and PhD/doctoral degree programmes. The focus countries are Armenia, Bhutan, Cabo Verde, El Salvador, Ethiopia, Georgia, Guatemala, Kenya, Mozambique, Nepal, the Palestinian Territories, the Republic of Moldova and Uganda. Applicants commit to returning to their home countries after graduating from studies. Another condition is for the chosen field of study to be in harmony with the regional and national development strategies pursued by the student's home country.<sup>277</sup> A further condition for awarding a scholarship is a guarantee by the home country institution to employ the scholarship holder upon their return (APPEAR, 2015:4).

275 Wiener Zeitung, *Brain Drain* „Österreich macht es uns unnötig schwer“, 14 February 2018, available from [www.wienerzeitung.at/nachrichten/top\\_news/945537\\_Oesterreich-macht-es-uns-unnoetig-schwer.html](http://www.wienerzeitung.at/nachrichten/top_news/945537_Oesterreich-macht-es-uns-unnoetig-schwer.html) (accessed 6 December 2018).

276 Interview with Rudolf Lichtmannegger and Simone Schaller, Austrian Federal Economic Chamber, 12 November 2018.

277 Appear, *General Information*, available from <https://appear.at/en/about-us/general-information/#basic-information-in-8-languages> (accessed 6 December 2018).



# ANNEXES

## A.1 Statistical Annex

The data listed in the following tables are the basis for the statistics and figures presented in chapter 3.

Table A.1: Number of students enrolled in Higher Education Institutions (ISCED 5–8) per field of study and nationality (2013)

Nationality/type of student	Total (all fields of study)	Education	Arts and humanities	Social sciences, journalism and information	Business, administration and law	Natural sciences, mathematics and statistics	Information and Communication Technologies	Engineering, manufacturing and construction	Agriculture, forestry, fisheries and veterinary	Health-care and welfare	Services	Others
<b>Total students</b>	423,966	54,051	49,784	55,633	89,697	31,848	18,868	68,133	6,426	30,021	18,530	977
<b>Austrian nationals</b>	334,866	48,319	34,366	39,232	71,581	24,488	15,426	55,719	5,093	22,881	17,120	640
<b>EU nationals</b>	62,653	4,484	10,694	12,951	11,779	5,441	1,674	7,614	1,108	5,723	987	196
<b>Third-country nationals (TCN)</b>	26,447	1,247	4,724	3,450	6,336	1,919	1,768	4,799	224	1,416	423	141
<i>of which students of short-cycle tertiary programmes (ISCED level 5)</i>	3,507	100	251	34	1,730	250	84	775	7	51	214	14
<i>of which Bachelor students (ISCED level 6)</i>	11,540	584	2,187	2,269	2,161	745	1,113	2,228	49	72	128	4
<i>of which Master students (ISCED level 7)</i>	8,715	526	1,839	877	2,152	515	407	1,270	88	979	62	1
<i>of which PhD/doctoral students (ISCED level 8)</i>	2,685	37	447	270	293	409	164	527	81	315	20	122
<i>of which exchange students in framework of national programmes</i>	1,727	54	291	323	632	82	38	222	9	41	31	4
Top 1 TCN nationality: Turkey	4,239	209	305	830	803	206	498	1,195	12	136	35	12
Top 2 TCN nationality: Bosnia and Herzegovina	3,523	175	359	379	1,046	198	242	781	21	248	69	6
Top 3 TCN nationality: Serbia	2,235	132	407	298	561	119	113	411	23	119	48	5
Top 4 TCN nationality: Russian Federation	1,462	62	330	198	535	70	54	126	8	51	20	6
Top 5 TCN nationality: China	1,309	68	363	165	231	104	76	215	9	34	33	13

Source: Statistics Austria, provided on 18 October 2018.

Note: 2013 refers to the 2012/13 academic year. "Exchange students" are a sub-group of the above-listed ISCED levels 5 to 8. Included are not only exchange students in national programmes but also in Erasmus+ as well as other multilateral programmes. Data is rounded.

Table A.2: Number of students enrolled in Higher Education Institutions (ISCED 5–8) per field of study and nationality (2014)

Nationality/type of student	Total (all fields of study)	Education	Arts and humanities	Social sciences, journalism and information	Business, administration and law	Natural sciences, mathematics and statistics	Information and Communication Technologies	Engineering, manufacturing and construction	Agriculture, forestry, fisheries and veterinary	Health-care and welfare	Services	Others
<b>Total students</b>	426,945	57,815	47,896	53,523	91,050	32,152	18,806	69,804	6,540	30,153	18,242	965
<b>Austrian nationals</b>	335,087	51,762	32,444	37,049	72,402	24,414	15,172	56,599	5,178	22,718	16,689	660
<b>EU nationals</b>	64,918	4,726	10,815	13,054	12,170	5,754	1,904	8,139	1,148	5,949	1,076	182
<b>Third-country nationals (TCN)</b>	26,940	1,327	4,636	3,421	6,478	1,984	1,730	5,065	214	1,485	478	122
<i>of which students of short-cycle tertiary programmes (ISCED level 5)</i>	3,765	107	264	34	1,863	206	104	831	10	61	275	11
<i>of which Bachelor students (ISCED level 6)</i>	11,494	600	2,152	2,202	2,094	760	1,037	2,401	37	74	138	0
<i>of which Master students (ISCED level 7)</i>	8,994	591	1,754	920	2,260	583	419	1,308	86	1,018	54	1
<i>of which PhD/doctoral students (ISCED level 8)</i>	2,687	29	466	264	261	435	170	524	82	333	11	111
<i>of which exchange students in framework of national programmes</i>	1,937	45	349	317	713	93	56	251	27	47	35	5
Top 1 TCN nationality: Turkey	4,162	211	294	804	829	217	427	1,203	11	133	25	8
Top 2 TCN nationality: Bosnia and Herzegovina	3,495	222	346	350	1,029	189	252	796	17	227	66	3
Top 3 TCN nationality: Serbia	2,357	161	420	311	594	123	116	435	17	118	56	6
Top 4 TCN nationality: Russian Federation	1,590	70	358	207	587	79	60	130	7	59	29	6
Top 5 TCN nationality: Ukraine	1,321	75	396	134	394	48	97	114	4	26	30	2

Source: Statistics Austria, provided on 18 October 2018.

Note: 2014 refers to the 2013/14 academic year. "Exchange students" are a sub-group of the above-listed ISCED levels 5 to 8. Included are not only exchange students in national programmes but also in Erasmus+ as well as other multilateral programmes. Data is rounded.

Table A.3: Number of students enrolled in Higher Education Institutions (ISCED 5–8) per field of study and nationality (2015)

Nationality/type of student	Total (all fields of study)	Arts and humanities	Social sciences, journalism and information	Business, administration and law	Natural sciences, mathematics and statistics	Information and Communication Technologies	Engineering, manufacturing and construction	Agriculture, forestry, fisheries and veterinary	Health-care and welfare	Services	Others
<b>Total students</b>	430,697	47,216	51,474	92,653	32,186	19,379	72,663	6,546	30,945	18,246	1,040
<b>Austrian nationals</b>	335,804	31,844	34,985	73,337	24,165	15,497	58,230	5,194	23,242	16,474	727
<b>EU nationals</b>	66,342	4,844	12,981	12,421	5,921	2,029	8,813	1,137	6,123	1,218	175
<b>Third-country nationals (TCN)</b>	28,551	1,396	3,508	6,895	2,100	1,853	5,620	215	1,580	554	138
<i>of which students of short-cycle tertiary programmes (ISCED level 5)</i>	3,755	136	17	1,955	138	121	898	4	74	307	23
<i>of which Bachelor students (ISCED level 6)</i>	12,124	664	2,185	2,125	772	1,076	2,729	47	106	146	0
<i>of which Master students (ISCED level 7)</i>	9,906	561	1,028	2,548	763	471	1,444	83	1,058	86	0
<i>of which PhD/doctoral students (ISCED level 8)</i>	2,767	35	278	267	427	186	549	81	343	15	116
<i>of which exchange students in framework of national programmes</i>	2,182	49	359	801	92	57	296	20	72	39	7
Top 1 TCN nationality: Turkey	4,045	237	735	813	202	389	1,194	8	127	28	12
Top 2 TCN nationality: Bosnia and Herzegovina	3,657	217	358	992	205	307	914	23	223	77	4
Top 3 TCN nationality: Serbia	2,557	165	321	691	134	131	468	18	128	68	7
Top 4 TCN nationality: Russian Federation	1,802	80	239	653	79	69	168	7	65	32	9
Top 5 TCN nationality: Ukraine	1,466	75	164	439	63	120	127	5	26	33	1

Source: Statistics Austria, provided on 18 October 2018.

Note: 2015 refers to the 2014/15 academic year. "Exchange students" are a sub-group of the above-listed ISCED levels 5 to 8. Included are not only exchange students in national programmes but also in Erasmus+ as well as other multilateral programmes. Data is rounded.

Table A.4: Number of students enrolled in Higher Education Institutions (ISCED 5–8) per field of study and nationality (2016)

Nationality/type of student	Total (all fields of study)	Education	Arts and humanities	Social sciences, journalism and information	Business, administration and law	Natural sciences, mathematics and statistics	Information and Communication Technologies	Engineering, manufacturing and construction	Agriculture, forestry, fisheries and veterinary	Health-care and welfare	Services	Others
<b>Total students</b>	436,232	58,139	47,020	51,158	94,135	34,832	19,944	77,721	6,536	32,663	17,982	1,101
<b>Austrian nationals</b>	337,362	51,753	31,428	34,374	74,039	25,969	15,672	57,785	5,151	24,348	16,097	746
<b>EU nationals</b>	68,371	4,937	10,723	13,112	12,919	6,344	2,186	9,013	1,154	6,525	1,289	170
<b>Third-country nationals (TCN)</b>	30,499	1,450	4,869	3,672	7,177	2,519	2,086	5,923	231	1,790	596	186
<i>of which students of short-cycle tertiary programmes (ISCED level 5)</i>	3,941	144	111	25	2,001	82	163	928	2	94	334	59
<i>of which Bachelor students (ISCED level 6)</i>	13,075	769	2,324	2,279	2,229	996	1,202	2,866	49	195	165	0
<i>of which Master students (ISCED level 7)</i>	10,634	503	1,953	1,079	2,698	1,003	525	1,580	88	1,122	84	0
<i>of which PhD/doctoral students (ISCED level 8)</i>	2,849	34	481	289	249	438	197	548	92	379	13	127
<i>of which exchange students in framework of national programmes</i>	2,163	44	331	417	782	113	53	289	24	68	34	9
Top 1 TCN nationality: Bosnia and Herzegovina	4,068	241	384	395	1,023	291	390	988	25	250	74	8
Top 2 TCN nationality: Turkey	3,943	266	283	707	783	198	322	1,180	6	143	45	11
Top 3 TCN nationality: Serbia	2,785	174	425	325	781	177	167	491	14	137	83	10
Top 4 TCN nationality: Russian Federation	1,971	79	456	257	665	114	91	182	7	73	39	9
Top 5 TCN nationality: Ukraine	1,604	79	431	192	474	73	128	143	6	43	32	1

Source: Statistics Austria, provided on 18 October 2018.

Note: 2016 refers to the 2015/16 academic year. "Exchange students" are a sub-group of the above-listed ISCED levels 5 to 8. Included are not only exchange students in national programmes but also in Erasmus+ as well as other multilateral programmes. Data is rounded.

Table A.5: Number of students enrolled in Higher Education Institutions (ISCED 5–8) per field of study and nationality (2017)

Nationality/type of student	Total (all fields of study)	Education	Arts and humanities	Social sciences, journalism and information	Business, administration and law	Natural sciences, mathematics and statistics	Information and Communication Technologies	Engineering, manufacturing and construction	Agriculture, forestry, fisheries and veterinary	Health-care and welfare	Services	Others
<b>Total students</b>	436,672	56,591	46,226	50,483	94,741	35,361	20,646	73,516	6,602	33,874	17,436	1,195
<b>Austrian nationals</b>	334,326	50,108	30,597	33,274	73,986	26,137	16,055	57,734	5,141	24,953	15,570	771
<b>EU nationals</b>	70,226	4,987	10,678	13,393	13,302	6,539	2,291	9,347	1,217	7,013	1,263	196
<b>Third-country nationals (TCN)</b>	32,121	1,497	4,952	3,816	7,453	2,685	2,300	6,436	244	1,908	604	227
<i>of which students of short-cycle tertiary programmes (ISCED level 5)</i>	4,333	186	115	21	2,077	79	216	1,080	6	119	341	93
<i>of which Bachelor students (ISCED level 6)</i>	13,732	807	2,365	2,330	2,282	1,063	1,275	3,098	58	286	168	0
<i>of which Master students (ISCED level 7)</i>	11,095	456	1,984	1,131	2,852	1,100	614	1,694	85	1,098	81	0
<i>of which PhD/doctoral students (ISCED level 8)</i>	2,961	48	487	334	242	444	195	564	96	404	14	134
<i>of which exchange students in framework of national programmes</i>	2,123	36	314	404	769	99	57	299	23	77	35	10
Top 1 TCN nationality: Bosnia and Herzegovina	4,348	239	384	381	1,042	338	436	1,147	39	268	72	4
Top 2 TCN nationality: Turkey	3,799	261	280	677	736	172	308	1,163	6	146	43	8
Top 3 TCN nationality: Serbia	2,929	208	412	347	794	186	196	550	19	135	73	11
Top 4 TCN nationality: Russian Federation	2,142	86	479	309	695	117	111	204	8	92	33	9
Top 5 TCN nationality: Ukraine	1,755	78	478	225	488	91	146	163	6	47	31	3

Source: Statistics Austria, provided on 18 October 2018.

Note: 2017 refers to the 2016/17 academic year. "Exchange students" are a sub-group of the above-listed ISCED levels 5 to 8. Included are not only exchange students in national programmes but also in Erasmus+ as well as other multilateral programmes. Data is rounded.

**Table A.6: Number of international students (tertiary education) enrolled in Higher Education Institutions by top 5 nationality and gender (2013–2017)**

Year	Gender	Top 1 nationality:		Top 2 nationality:		Top 3 nationality:		Top 4 nationality:		Top 5 nationality:	
		Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
2013	Total	Turkey	3,148	Bosnia and Herzegovina	2,067	Serbia	1,294	Russian Federation	1,033	Ukraine	1,003
	Male	Turkey	1,966	Bosnia and Herzegovina	1,027	Serbia	632	Russian Federation	240	Ukraine	227
	Female	Turkey	1,182	Bosnia and Herzegovina	1,040	Serbia	662	Russian Federation	793	Ukraine	776
2014	Total	Turkey	2,897	Bosnia and Herzegovina	1,862	Serbia	1,227	Russian Federation	1,103	Ukraine	991
	Male	Turkey	1,806	Bosnia and Herzegovina	905	Serbia	567	Russian Federation	241	Ukraine	247
	Female	Turkey	1,091	Bosnia and Herzegovina	958	Serbia	660	Russian Federation	862	Ukraine	744
2015	Total	Turkey	2,717	Bosnia and Herzegovina	2,024	Serbia	1,333	Russian Federation	1,258	Islamic Republic of Iran	1,138
	Male	Turkey	1,655	Bosnia and Herzegovina	966	Serbia	603	Russian Federation	264	Islamic Republic of Iran	583
	Female	Turkey	1,062	Bosnia and Herzegovina	1,059	Serbia	730	Russian Federation	994	Islamic Republic of Iran	555
2016	Total	Turkey	2,551	Bosnia and Herzegovina	2,385	Serbia	1,459	Russian Federation	1,368	Ukraine	1,233
	Male	Turkey	1,554	Bosnia and Herzegovina	1,112	Serbia	661	Russian Federation	307	Ukraine	349
	Female	Turkey	997	Bosnia and Herzegovina	1,273	Serbia	798	Russian Federation	1,061	Ukraine	884
2017	Total	Bosnia and Herzegovina	2,607	Turkey	2,374	Serbia	1,525	Russian Federation	1,498	Islamic Republic of Iran	1,412
	Male	Bosnia and Herzegovina	1,181	Turkey	1,420	Serbia	672	Russian Federation	327	Islamic Republic of Iran	690
	Female	Bosnia and Herzegovina	1,426	Turkey	955	Serbia	853	Russian Federation	1,171	Islamic Republic of Iran	723

*Source:* Statistics Austria, provided on 18 October 2018.

*Note:* These statistics refer to students with prior education in a third country.

**Table A.7: International students who have graduated from a Higher Education Institution in Austria per qualification type (2013–2017)**

ISCED level	2013	2014	2015	2016	2017
Students of short-cycle tertiary programmes (ISCED level 5)	10	10	5	4	6
Bachelor students (ISCED level 6)	478	644	677	787	745
Master students (ISCED level 7)	977	952	1,070	1,176	1,242
PhD / doctoral students (ISCED level 8)	229	247	225	237	280
Total	1,694	1,853	1,977	2,204	2,273

*Source:* Statistics Austria, provided on 18 October 2018.

*Note:* These statistics refer to students with prior education in a third country.



## A.2 List of translations and abbreviations

English term	English abbreviation	German term	German abbreviation
Act Amending the Aliens Authorities Restructuring Act	–	FNG-Anpassungsgesetz	–
Act Amending the Aliens Law	–	Fremdenrechtsänderungsgesetz	FrÄG
Act Governing the Employment of Foreign Nationals	–	Ausländerbeschäftigungsgesetz	AuslBG
Aliens Police Act 2005	–	Fremdenpolizeigesetz 2005	FPG
ASEAN-European Academic University Network	ASEA-UNINET	–	ASEA-UNINET
Asia-Pacific Association for International Education	APAIE	–	APAIE
Austrian Academic Exchange Service	–	Österreichischer Austauschdienst	OeAD
Austrian Association of Universities of Applied Sciences	–	Österreichische Fachhochschulkonferenz	FHK
Austrian Development Agency	ADA	Agentur der Österreichischen Entwicklungszusammenarbeit	ADA
Austrian Development Cooperation	ADC	Österreichische Entwicklungszusammenarbeit	OEZA
Austrian Federal Economic Chamber	–	Wirtschaftskammer Österreich	WKÖ
Austrian Freedom Party	–	Freiheitliche Partei Österreich	FPÖ
Austrian Integration Fund	–	Österreichischer Integrationsfonds	ÖIF
Austrian National Union of Students	–	Österreichische Hochschul_innenschaft	ÖH
Austrian Partnership Programme in Higher Education and Research for Development	APPEAR	–	APPEAR
Austrian Private Universities Conference	–	Österreichische Privatuniversitätenkonferenz	ÖPUK
Austrian Young Workers Movement	–	Österreichische Jungarbeiterbewegung	ÖJAB
Central European Exchange Programme on University Studies	CEEPUS	–	CEEPUS
Citizenship Act 1985	–	Staatsbürgerschaftsgesetz 1985	StbG
Common European Framework of Reference for Languages	CEFR	Gemeinsamer Europäischer Referenzrahmen für Sprachen	GER
Council of Europe	–	Europarat	–
EU Strategy for the Danube Region	EUDSR	EU-Strategie für die Donauregion	EUDSR
European Association for International Education	EAIE	–	EAIE
European Commission	EC	Europäische Kommission	EK
European Credit Transfer and Accumulation System	ECTS	Europäisches System zur Übertragung und Akkumulierung von Studienleistungen	ECTS
European Free Trade Association	EFTA	Europäische Freihandelsassoziation	EFTA
European Higher Education Area	EHEA	Europäischer Hochschulraum	EHEA

English term	English abbreviation	German term	German abbreviation
European Migration Network	EMN	Europäisches Migrationsnetzwerk	EMN
European Union	EU	Europäische Union	EU
Federal Law Gazette	FLG	Bundesgesetzblatt	BGBL
Federal Ministry for Europe, Integration and Foreign Affairs	–	Bundesministerium für Europa, Integration und Äußeres	BMEIA
Federal Ministry of Education and Women's Affairs	–	Bundesministerium für Bildung und Frauen	–
Federal Ministry of Education, Science and Research	–	Bundesministerium für Bildung, Wissenschaft und Forschung	BMBWF
Federal Ministry of Labour, Social Affairs, Health and Consumer Protection	–	Bundesministerium für Arbeit, Soziales, Gesundheit und Konsumentenschutz	BMASGK
Federal Ministry of Science and Research	–	Bundesministerium für Wissenschaft und Forschung	BMWF
Federal Ministry of the Interior	–	Bundesministerium für Inneres	BMI
General Administrative Procedures Act 1991	–	Allgemeines Verwaltungsverfahrensgesetz 1991	AVG
General Social Insurance Act	–	Allgemeines Sozialversicherungsgesetz	ASVG
Vienna University of Technology	TU Wien	Technische Universität Wien	TU Wien
Graz University of Technology	TU Graz	Technische Universität Graz	TU Graz
International Organization for Migration	IOM	Internationale Organisation für Migration	IOM
International Standard Classification of Education	ISCED	Internationale Standardklassifikation im Bildungswesen	ISCED
long stay visa	–	Visum D/Visum für den längerfristigen Aufenthalt	–
Memorandum of Understanding	–	–	MoU
Municipal Department 35	–	Magistratsabteilung 35	MA35
NAFSA: Association of International Educators	NAFSA	–	NAFSA
National Academic Recognition Information Centre	ENIC NARIC AUSTRIA	Nationales Informationszentrum für akademische Anerkennung	ENIC NARIC AUSTRIA
National Contact Point	NCP	Nationaler Kontaktpunkt	NKP
NEOS – The New Austria	NEOS	NEOS – Das Neue Österreich	NEOS
Official Journal of the European Union	OJ	Amtsblatt der Europäischen Union	ABL
Organisation for Economic Co-operation and Development	OECD	Organisation für wirtschaftliche Zusammenarbeit und Entwicklung	OECD
Permanent Residence – EU	–	Daueraufenthalt – EU	–
Private Universities Act	–	Privatuniversitätengesetz	PUG
Recognition and Assessment Act	–	Anerkennungs- und Bewertungsgesetz	AuBG
Rectors Conference of the University Colleges of Teacher Education	–	Rektorinnen- und Rektorenkonferenz österreichischer Pädagogischer Hochschulen	RÖPH

English term	English abbreviation	German term	German abbreviation
Red-White-Red Card	RWR Card	Rot-Weiß-Rot – Karte	RWR – Karte
Regulation for Skilled Workers	–	(„Fachkräfteverordnung“) Verordnung des Bundesministers für Arbeit, Soziales und Konsumentenschutz, mit der für das Jahr 2018 Mangelberufe für die Beschäftigung von ausländischen Fachkräften festgelegt werden	Fachkräfteverordnung 2018
Regulation on Eligible Groups of Persons 2014	–	Personengruppenverordnung 2014	PersGV
Regulation on the Implementation of the Settlement and Residence Act	–	Niederlassungs- und Aufenthaltsgesetz – Durchführungsverordnung	NAG-DV
Scientific and Technical Cooperation	–	Wissenschaftlich-Technische Zusammenarbeit	WTZ
Settlement and Residence Act	–	Niederlassungs- und Aufenthaltsgesetz	NAG
Settlement Permit	–	Niederlassungsbewilligung	–
Students Union Act 2014	–	Hochschülerinnen- und Hochschülerschaftsgesetz 2014	HSG
third-country nationals	–	Drittstaatsangehörige	–
Tuition Fee Regulation 2004	–	Studienbeitragsverordnung 2004	StubeiV 2004
United Nations	UN	Vereinte Nationen	VN
United Nations Conference on Trade and Development	UNCTAD	–	UNCTAD
Universities Austria	–	Universitätenkonferenz	uniko
Universities of applied sciences	–	Fachhochschule	FH
Universities of Applied Sciences Studies Act	–	Fachhochschul-Studiengesetz	FHSStG
University Act 2002	–	Universitätsgesetz 2002	UG
University of Natural Resources and Life Sciences	–	Universität für Bodenkultur Wien	BOKU

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