

MA35: Reform NOW!

The conditions in the Department of Immigration and Citizenship (MA35) are desperate: People wait for months to years for existential decisions, no one can be reached, the cases of people with surnames that are read as "too foreign" are deliberately disadvantaged. Emails and phone calls are ignored - this is a misconduct in terms of service. It's not just a matter of bureaucratic oversight, the lapses are calculated and deliberate harassment to make immigration to Austria more difficult.

Therefore, we call on the Vienna City Government, the NEOS and the SPÖ:

- immediate processing of overdue applications and complaints
- initiation of consequences for misconduct on the part of MA35
- increase the staff of MA35 with legally trained employees
- make procedures transparent and respect the deadlines
- to recognize the rights of the applicants!

It is not just a matter of bureaucratic oversight; the lapses are calculated and deliberate harassment to make immigration to Austria more difficult. The problem and the consequences for those affected have been misjudged for far too long.

<https://www.moment.at/ma-35-einwanderungsbehoerde-erfahrungen>

The problem and the consequences for those affected have been misjudged for far too long. An example of bureaucratic madness:

S. submitted all the necessary documents to renew his residence permit on time in December. In June he tried every day to reach MA35 by phone and wrote e-mails that were ignored or otherwise rejected: the case worker was on holiday, they had no access to the case, they should try again some other time.

Like many others, he lost his job because of the pandemic, and the bureaucratic effort involved in hiring someone without a residence permit is reason enough for most employers not to employ this person.

S. filed an official complaint at the end of July, after which all documents were requested again. Until now, in mid-September, S.'s residence permit has not been renewed, the new application has to be submitted in three months.

<https://www.derstandard.de/story/2000129233631/das-auslaenderamt-ma-35-eine-toxische-behoerde>

The consequences of these actions make a self-determined life impossible and drive those affected into existential crises: finding a job or a flat without a residence title is almost impossible, employers and landlords prefer those with a visa or Austrian citizenship. Travelling outside of Austria is also only possible with an emergency visa that has to be applied for in exchange for money. Without a residence title, it is in many cases not possible to register as unemployed and thus to get health insurance from the AMS.

<https://www.derstandard.at/story/2000129145693/wie-viel-system-steckt-hinter-dem-unwesen-in-der-einwanderungsbehoerde>

The psychological burdens are also enormous: uncertainty, existential dependence on an institution, loss of control, nerve-racking waiting and disappointment, unpredictability, rejection, frustration, little media representation of the extent of the problem. MA35 oppresses people by negligently and irresponsibly handling vital applications and making applicants wait months to years for existential decisions.

Those affected have little lobby, and the responsible staff members do not experience any consequences.

The structural discrimination and disadvantage of people from third countries is clearly shown by the failures of MA35: without a secure livelihood, people are put into a socio-economically precarious situation and are further marginalised and stigmatised because of this disadvantage.

The MA35 is a symptom of the ÖVP's disastrous immigration policy and we call on NEOS, the SPÖ and Stadt Wien to act immediately. The problem will not be solved only by 50 additional employees or a lengthy revision. The answer is not related to the real problem - it needs immediate changes, reappraisal and administrative consequences for misconduct! It needs legally trained and competent staff, increased personnel and transparent structures. The rights of the applicants must be recognised!