

Information For Pre-Deportation Detainees

1.	Pre-Deportation Detention and Complaint	6
1.1.	Why am I detained pending deportation?	6
1.2.	May I inform anybody about my detention? Do I have the right to inform a legal representative and my family?	6
1.3.	How long will I be detained?	7
1.4.	Which complaint options (legal remedies) do I have? What is a complaint against pre-deportation detention?	7
1.5.	I wish to speak with a representative of my country. How can I make contact?	8
1.6.	When you were admitted you said nothing regarding contact with a representative of your home country (not agreed to but not refused either) or did not wish to make contact?	8
1.7.	Information about the Emergency Travel Certificate	9
2.	Legal Basis for the Departure Ordered	10
2.1.	General legal issues.....	10
2.2.	Who is knowledgeable about my legal situation?	10
2.3.	I wish to return to my home country on a voluntary basis. What should I do?	11
2.4.	What happens during deportation?	11
2.5.	What happens if I resist my deportation?	11
3.	Social Service Agencies	13
3.1.	What are social service agencies?	13
3.2.	How can I benefit from social services?	13
3.3.	Who provides social services?.....	13
3.4.	What should I take with me when attending a counselling session?	13
4.	Legal advisory services	14
4.1.	What are legal advisory services?	14
4.2.	What can the legal advisory service do for me?.....	14
4.3.	Who provides the legal advisory services?	14
4.4.	What shall I bring with me to my advisory services session?	14
5.	Medical Care	15
5.1.	Important information	15
5.2.	Why should I wash my hands? Why is this important?	15
5.3.	Why am I being examined?	15
5.4.	What happens if I refuse to be examined?	15
5.5.	May I consult a doctor of my choice?	16
5.6.	What should I do, if I suffer from a chronic illness or am in need of medication?	16
5.7.	Information on tuberculosis (TBC)	16
6.	Release from Detention	17
6.1.	General information on release from detention	17
6.2.	Will I receive release documents?	17
6.3.	What should my next steps be?.....	17

Where the male term (e.g. policeman) is used, this shall also include the female term (e.g. policewoman). To facilitate reading this information always uses the male term (e.g. policeman).

Ladies and Gentlemen,

This folder shall provide you with basic information and some support for your time in detention. The folder is addressed to all detainees pending deportation. The reasons for such detention may vary to a large degree. Therefore, not all circumstances described in this folder may apply to you and your personal situation.

We have tried to answer the most important questions. Should you have any additional questions, please contact a police officer or a social service agent.

If something is unclear to you, and above all, if you are asked to sign a document, you should always ask for an explanation first.



Important Terms



Deportation (Abschiebung): If you have no right to stay in Austria, you have to leave the country. Your departure may be voluntary or enforced. An enforced departure is called deportation. See 2.4

Rules of Detention (Anhalteordnung): The Rules of Detention regulate life in pre-deportation detention. They cover your rights and duties. The most important items of the Rules of Detention are explained here. You may at any time read the original version of the Rules of Detention. See 4.2.

Deportation order (Anordnung zur Außerlandesbringung): A deportation order is the decision by the Federal Office for Aliens and Asylum that you must leave Austria. You will receive a notification informing you about where you need to travel to.

Residence Ban (Aufenthaltsverbot): A residence ban is a decision by the Federal Office for Aliens and Asylum that you have to leave Austria and may not return for a certain period of time. You will receive a formal notification.

Expulsion (Ausweisung): An expulsion is a decision by the Federal Office for Aliens and Asylum that you have to leave Austria. You will receive a formal notification.

Federal Administrative Court (Bundesverwaltungsgericht, BVwG): The Federal Administrative Court as an independent court also decides on complaints against pre-deportation detention.

Voluntary Departure (Freiwillige Rückkehr): You may leave Austria at any time on a voluntary basis. If you wish, you may receive assistance in this matter. See 2.3.

Federal Office for Aliens and Asylum (Bundesamt für Fremdenwesen und Asyl (BFA): The Federal Office for Aliens and Asylum is the authority which is responsible for examining your stay in Austria and has decided to detain you pending deportation. See 2.2

More Lenient Measure (Gelinderes Mittel): The Federal Office for Aliens and Asylum may order a more lenient measure to replace detention. In this case you must report regularly with the competent police station. Possibly you will have to stay in specific lodgings defined by the Federal Office for Aliens and Asylum (e.g. in a flat).

Commissions of the Public Ombudsman's Office (Kommission der Volksanwaltschaft): During your detention you may be visited by a commission of the Public Om-

budsman's Office. The task of this commission is to monitor the general conditions in a Police Detention Centre (PAZ). The commission provides reports about its visits and reviews directly to the Public Ombudsman's Office. The commission cannot counsel or represent you in legal matters.

Non-Governmental Organisation (NGO) (Nichtregierungsorganisation): A non-governmental organisation and its employees are independent of Austrian authorities. Non-governmental organisations may counsel or represent you in legal matters. If you wish to be represented in legal matters, you have to give a written power of attorney to an employee of a non-governmental organisation (NGO). See 1.2 and 2.2

Police Detention Centre (PAZ – Polizeianhaltezentrum): The Police Detention Centre is where you are detained pending deportation.

Lawyer (Rechtsanwalt): A lawyer has the task to counsel and represent you in legal matters. He has a special education for this purpose. As a rule, you have to pay for the lawyer. If you wish to be represented, you have to give a written or oral power of attorney to the lawyer. See 1.2 and 2.2

Legal Advisory Service (Rechtsberatung): The legal advisory service is provided by a non-governmental organisation (NGO) able to answer your legal questions and to launch a complaint against your detention. The legal advisory service is cost-free for you. See 4.

Legal Remedy (Rechtsmittel): You may take steps against a pre-deportation detention order. For this purpose you have to write a complaint and send it to the Federal Office for Aliens and Asylum. Your legal representative may do this for you. Complaints are legal remedies. See 2.1

Information on Legal Remedies (Rechtsmittelbelehrung): At the end of the formal notification about the detention order there is an indication which steps you may take against the order. This is called information on legal remedies. Please note the deadlines indicated. See 2.1

Return Decision (Rückkehrentscheidung): A return decision is the decision by the Federal Office for Aliens and Asylum that you must leave Austria. You may at the same time be served with an entry ban, i.e. for a specific period you are banned from returning. You will receive a notification informing you where to travel to and for how long you are banned from returning.

Social Service Agency (Soziale Betreuung): Social services are offered by a non-governmental organisation (NGO), who may answer your questions and assist you during your detention in the Police Detention Centre (PAZ). See 3.

Pre-Deportation Detention (Schubhaft): Pre-deportation detention is the detention of aliens to secure a proceedings for issuing a return decision, a deportation order, an expulsion or a residence ban and to secure deportation. It is executed at the PAZ – Police Detention Centre.

Pre-Deportation Detention Order (Schubhaftbescheid): If the Federal Office for Aliens and Asylum anticipates that you might go into hiding, you will be arrested and detained pending deportation. You will receive a formal notification from the Federal Office for Aliens and Asylum which must mention why the Federal Office for Aliens and Asylum is anticipating that you might go into hiding. Such a decision is called pre-deportation detention order. See 1.1

Complaint against Pre-Deportation Detention (Schubhaftbeschwerde): You may complain against your detention. This is called complaint against pre-deportation detention. See 1.4

1. Pre-Deportation Detention and Complaint

1.1. Why am I detained pending deportation?

A pre-deportation detention is no criminal detention.

The Federal Office for Aliens and Asylum will examine whether you are authorised under Austrian law to stay in Austria. The Federal Office for Aliens and Asylum worries that you will not leave the country, but might rather go into hiding. This is the reason for your detention. The actual reasons for your detention are contained in your pre-deportation detention order. If you have questions, please ask your social service agent, your legal advisor or your legal representative.



Pre-deportation detention is ordered by the Federal Office for Aliens and Asylum. The police officers in the Police Detention Centre (PAZ) have nothing to do with the decision to detain you and as a rule have no information about the reasons why you are being detained.

The Federal Office for Aliens and Asylum will hold administrative proceedings to examine whether you have to leave the country. Such proceedings will result in an order (return decision, deportation order, expulsion or residence ban). If you receive formal notification of such an order, please contact your social service agent, your legal advisor or your legal representative.

If you have been ordered to leave the country, the Federal Office for Aliens and Asylum will organise your departure.

1.2. May I inform anybody about my detention? Do I have the right to inform a legal representative and my family?

Yes. You have the right to inform a person of your choice (such as family members, friends) and a legal representative (= legal counsel, such as a lawyer or non-governmental organisation [NGO]) about your detention.

In order to make contact, please approach an officer or a social service agent!

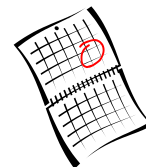
If you are aged between 14 and 18, you have the additional right to contact the Juvenile Welfare Agency. The Juvenile Welfare Agency is an Austrian authority responsible for the protection of children and juveniles. They will get information about your detention from the Federal Office for Aliens and Asylum.

If you are under the age of 18 and have no relatives (with custodial or parental authority) in Austria, you will be represented and guided by the Juvenile Welfare Agency in the proceedings (complaint against detention, return decision, expulsion order, residence ban and expulsion). The Federal Office for Aliens and Asylum will inform the Juvenile Welfare Agency about your detention. If you have a problem and wish to speak with a Juvenile Welfare Agent, please contact a police officer or a social service agent, who will establish contact.

1.3. How long will I be detained?

Generally, the duration of the detention cannot be predicted, because it depends on many factors. The Federal Office for Aliens and Asylum is obliged, however, to detain you for as short a period as possible.

If you cooperate with the authorities – above all if you hand over your travel documents and make true statements about your identity – you may help to keep your detention as short as possible. You may also depart on a voluntary basis. This may considerably shorten your time in detention (see 2.3).



If you are detained for reasons of procedural safeguards, officials will hold administrative proceedings and examine whether you have to leave the country. Once it has been decided that you have to leave, the Federal Office for Aliens and Asylum will organise your departure.

For this purpose and at the legally appropriate time officials will contact the authorities in the country where you are to be deported to. If you have no passport, the Federal Office for Aliens and Asylum will procure the necessary documents (a return certificate) and will plan your deportation.

Once an enforceable decision (return decision, deportation order, expulsion or residence ban) has been issued and all necessary documents and permits are available, you will be deported. However appropriate checks must be made previously, whether any reasons exist not to proceed with the deportation.

In exceptional cases you may (also with interruptions) be detained for a maximum period of 10 months within a time period of 18 months. If you are a minor aged between 16 and 18 the maximum pre-deportation detention must not exceed two months. A longer period of detention for the same reason is not possible under any circumstances. As a rule, detention will be much shorter.

1.4. Which complaint options (legal remedies) do I have? What is a complaint against pre-deportation detention?

You may lodge a **written complaint** against your detention, if you believe the detention to be unlawful (wrong). Your right to lodge a complaint persists during the entire duration of your detention and also for up to six weeks after detention.



Your legal advisor must support you in launching the complaint against pre-deportation detention. Upon your request the legal advisor will represent you in matters relating to the complaint against pre-deportation detention.

The complaint must be lodged with the Federal Administrative Court (BVwG) (Erdbergstraße 192-196, 1030 Vienna). If you have written the complaint against detention yourself, please hand it over to a police officer or to a social service agent. If you are legally represented, this is done by your legal counsel. See 4.

The following points should be noted:

General:

- The complaint must be written in German language. For this you may ask for assistance. You may contact a lawyer or a non-governmental organisation (NGO). You can receive a list of lawyers and non-governmental organisations (NGO) from an officer on your floor.

- Your complaint must be called "Schubhaftbeschwerde" and the deadline mentioned in the pre-deportation order must be met.
- Don't forget to sign the complaint! The complaint may be written by somebody else, but it must always be signed by you, unless you have given power of attorney to somebody else. In this case you or the person authorised by you must sign the complaint.



Content:

- Explain the reasons why you claim your detention to be unlawful (wrong).
- Clear up any misunderstandings.
- Produce evidence.

If you need any documents from the storeroom for your complaint, please contact a police officer, the legal advisory service, or a social service agent.

Your complaint must be decided upon within one week. Your detention will be examined.

If the Federal Administrative Court (BVwG) has decided that you must remain in detention, you may lodge an appeal against this decision with the Constitutional Court (VfGH) or a revision before the Administrative Court (VwGH). You have to pay for such an appeal or revision. In this case you must have a lawyer. If you cannot afford a lawyer, you may request assistance. This is called legal aid. Please contact the legal advisory service or your legal counsel.

Once you have been detained (without interruption) for a period of more than four months, your detention will be examined automatically. Further examinations will follow every eight weeks.

What is the Federal Administrative Court (BVwG)?

The Federal Administrative Court (BVwG) is an independent court to decide on your complaint against pre-deportation detention. The Federal Administrative Court (BVwG) is independent of the Federal Office for Aliens and Asylum as well as of the Police and monitors the decisions by the Police and the Federal Office for Aliens and Asylum.

The Federal Administrative Court (BVwG) has competence for all of Austria and is based in Vienna (Erdbergstraße 192-196, 1030 Vienna).

1.5. I wish to speak with a representative of my country. How can I make contact?

When you were admitted, you were asked if you wished to contact a representative of your home country. Even if you did not wish such contact at the time, you may still change your mind. You may make contact with your embassy free of charge (by telephone or letter).

You may get a list of embassies and consulates from a police officer on your floor.

1.6. When you were admitted you said nothing regarding contact with a representative of your home country (not agreed to but not refused either) or did not wish to make contact?

As a principle Austrian authorities will not transmit your data to authorities or persons if you do not wish so. Under international agreements Austrian authorities may be obliged to inform your home country about your detention in some cases. Therefore it is important that you tell a police officer that you wish to have not contact. In such a case the Austrian authorities are NOT obliged to inform your home country.

1.7. Information about the Emergency Travel Certificate

If you have no travel document the Austrian authorities may ask your home country to issue a replacement document (Emergency Travel Certificate).

This may make it necessary for you to be taken to your embassy. At the embassy you will be interviewed by a representative of your home country about your life and your country. An Austrian official will always be present. If you have problems, please make contact with the Austrian official.

2. Legal Basis for the Departure Ordered

2.1. General legal issues

Be careful not to compare your situation with that of acquaintances or fellow detainees. There are often minor, but important differences.

Always take note of the deadline mentioned in the orders. If you miss a deadline, the proceedings may be terminated and this may have negative consequences for you. The deadlines are indicated at the end of the written order under „Rechtsmittelbelehrung“. Please note that the time limit will start to run even if you have not accepted or signed the order.

You may be represented by a private person, by a non-governmental organisation (NGO) or by a lawyer. You may get a list of lawyers and non-governmental organisations (NGO) from a police officer on your floor.

If you are taken into pre-deportation detention, the Federal Office for Aliens and Asylum will in any case provide you with a legal advisor. See 4.

If you receive a visit by a non-governmental organisation (NGO) or by a lawyer, please inform them, if you were already visited or are represented by a lawyer or another organisation. If several persons are active for you, without knowing of each other, this may lead to misunderstandings and mistakes, which may affect you adversely.

In many cases it is necessary to give a power of attorney to a non-governmental organisation (NGO) or a lawyer, so that they can help you. This means that you must empower such a person to speak with the authorities and to write applications and complaints on your behalf. Do not sign a power of attorney unless you trust the person involved. You should ask for explanations about everything you sign.

2.2. Who is knowledgeable about my legal situation?

Should you have questions about the status of your proceedings or about other legal issues, please contact the Federal Office for Aliens and Asylum or the legal advisory service.

The legal advisory service may, if you wish, enquire with the Federal Office for Aliens and Asylum about your legal status (such as status and finalization of the proceedings) and explain it to you.

If you wish to make contact with the competent officer at the Federal Office for Aliens and Asylum, you will find its address and telephone number on top of the first page of your detention order.

You may also appoint another person to represent you. For this purpose you have to issue a written power of attorney to this person. For a lawyer an oral power of attorney is sufficient. Such a person may henceforth receive information about your legal situation from the Federal Office for Aliens and Asylum and pass this information on to you.

You are entitled to inspect your file kept with the Federal Office for Aliens and Asylum, which means you may view the file and have copies made. The file is in German language and the Federal Office for Aliens and Asylum is not obliged to translate it for you. Therefore, it may be practical to have your legal advisor or a representative (lawyer or non-governmental or-

ganisation [NGO]) view (examine) the file and subsequently explain it to you. Copies must be paid for.

2.3. I wish to return to my home country on a voluntary basis. What should I do?

When detained pending deportation you may opt for voluntary departure. By this you may shorten your time in detention and avoid deportation – possibly with a police escort. The social service agency may assist you in organising your departure (see 3.2).

If you have a valid passport and are able to pay for your flight ticket either by yourself or through family members (relatives, friends), your voluntary departure may as a rule be organised by yourself or by the social service agency. Please discuss the modalities of your voluntary departure with the social service agent before a flight ticket is purchased by a family member.

If your passport is not among your personal belongings in the storeroom (e.g. the passport is with friends or family members), it may be delivered to the social service agency or the Police Detention Facility (PAZ). Your friends or family members may deposit money for the purchase of a flight ticket with the social service agency, for which a receipt will be issued.

If you have no money, the social service agency will try to get funding for the costs for your return. When you depart on a voluntary basis you may receive a small financial grant in many cases. If you have no valid travel document, the social service agency will try to have an Emergency Travel Certificate issued for you by your embassy. Depending on the embassy, this may take days, weeks or even months. It would be faster if you could give other ID documents to the social service agency (such as a driver's licence, birth certificate, IDs etc.) or have copies thereof mailed to you from your home country.

You should always indicate your full (and correct) name and your last address and reply to all written and oral questions in an honest fashion. By your cooperation the proceedings and your time in detention may be over faster.

If you do not opt for voluntary departure, you must expect to be deported from Austria. In this case the Federal Office for Aliens and Asylum will plan your departure and will procure an Emergency Travel Certificate and a ticket.

2.4. What happens during deportation?

Once the Federal Office for Aliens and Asylum is in possession of all necessary travel documents, a date for the deportation will be fixed. The deportation may be carried out by bus or by plane.

Because of strict security regulations police officers must remove all your personal belongings. They will be returned to you at your destination.

If you are deported by bus, you must board the bus here and will be taken to your country of destination.

If you are deported by plane, the police officers will take you to the airport and make sure that you board the plane. If the police officers expect you to resist, you will be escorted on the flight by one or more officers.

2.5. What happens if I resist my deportation?

If you resist deportation, the police officers may use compulsory measures (such as handcuffing).

If an attempt to have you deported fails, a new date will be fixed. In such a case you will be escorted by police officers to your country of destination. Moreover, you may be charged for "resisting the police" and may possibly have to wait for your trial in prison detention.

If the police officers expect especially vehement resistance, the deportation may be carried out by charter flight. In this case you will be handed over to the local authorities upon arrival in your home country.

3. Social Service Agencies

Social Service Agencies exist at the Police Detention Centres (PAZ) of Vienna Rosauer Lände, Vienna Hernalser Gürtel, Salzburg and the Pre-Deportation detention Centre of Vordernberg. If you are in pre-deportation detention over a longer period (more than 7 days), you will be placed in one of these centres.

3.1. What are social service agencies?

Social service agencies may assist you with various problems. Social services are optional. You may receive information and assistance at any time.

If you require assistance during your detention, you may contact the social service agency. Social service agents are independent of the authorities, and their services are free of charge. The social service agencies are free of charge.

3.2. How can I benefit from social services?

Social service agents can assist you with issues and problems in your detention. The agents will endeavour to provide assistance in individual cases.

Social service agents may

- translate and explain orders and notifications from authorities;
- answer questions about legal points and about your proceedings or get information from authorities;
- enable you to contact family members and persons you trust;
- help you with problems at the Police Detention Centre (PAZ) and mediate between you and police officers;
- convey your wishes to the commanding officer, to the Federal Office for Aliens and Asylum, to the doctor or to other bodies;
- help you with voluntary departure, if you wish;
- prepare you for your release or deportation;
- if necessary, provide you with items such as clothing, hygiene articles and newspapers.

Social service agents may not represent you in legal matters.

3.3. Who provides social services?

When you were admitted, you received an information sheet about social services. On this information sheet you have indicated, whether you wish to receive social services.

Even if you have checked NO, you may still change your mind. If you wish to speak to a social service agent, please contact a police officer on your floor. Even if you have checked YES, you need not use the social services.

3.4. What should I take with me when attending a counselling session?

If you have questions about your proceedings (especially by the Federal Office for Aliens and Asylum), please bring all orders, notifications etc. by the authorities when attending a counselling session. If you wish to contact family members or persons you trust (such as friends), you should provide their telephone numbers to the social service agent.

4. Legal advisory services

4.1. What are legal advisory services?

When you become a pre-deportation detainee you will by law be assigned a legal advisor.

The legal advice service is a voluntary and free offer. The legal advisor can advise you on your proceedings and also act as your representative under specific circumstances at your request.

4.2. What can the legal advisory service do for me?

The legal advisory service can help you with legal questions or problems.

The legal advisory service can in particular

- translate and explain decisions and notices by authorities;
- answer questions regarding the laws and your proceedings or obtain information from the authorities;
- access records for you;
- explain the likelihood of your complaint's success
- write or submit a complaint for you to the Federal Administrative Court

4.3. Who provides the legal advisory services?

The legal advisory services are independent of the Austrian authorities and the police. The legal advisory services are provided by a non-governmental-organisation (NGO).

Your legal advisor will pay you a visit. However, you can also contact the legal advisor yourself.

The Federal Office for Aliens and Asylum has sent you a letter regarding the legal advisory services. This letter specifies your legal advisor and how you can contact him.

4.4. What shall I bring with me to my advisory services session?

If you have questions regarding your proceedings (in particular before the Federal Office for Aliens and Asylum), please bring along all decisions, notices, etc by the authorities.

5. Medical Care

5.1. Important information

Early during your detention you will be examined by a doctor. Such examination will serve to detect known or hidden physical and/or mental illnesses and problems. If treatment or further check-ups by a specialist should be necessary (such as by a dermatologist, psychiatrist, dentist...), the respective doctor will be called in or you will be taken to an outpatient station.

So please tell the doctor if you suffer from a medical condition or require medication.

If you develop (physical or mental) health problems during your detention, please immediately inform a police officer. The officer will make the earliest possible appointment for a medical examination.

5.2. Why should I wash my hands? Why is this important?

Hands are the most important paths for transmitting infectious diseases. Therefore please be careful with your personal hand hygiene. In this way, transfer of disease agents to mouth, eyes or nose can be prevented. Please wash your hands thoroughly with soap!

Washing of hands is highly advisable:

- after using the toilet
- after contact with other people
- before eating food
- before touching food
- when preparing food
- when there is visible contamination
- after cleaning work (such as after cleaning the toilet).



Dry your hands with a clean towel after washing them. Hang your towel out to dry thereafter.

5.3. Why am I being examined?

The medical staff in the Police Detention Centre (PAZ) has the task of providing quick and optimum assistance in case of health problems.

Regular medical check-ups are necessary for this purpose. This is the only way of detecting in a timely fashion those diseases, which are not visible and may not even be known to you at all.

This is your only chance to be taken to a hospital for examination in case of a serious medical condition.

Therefore, please always participate in medical check-ups, so as not to endanger yourself or the people around you.

5.4. What happens if I refuse to be examined?

Refusal to be examined holds no advantages for you. You will remain in detention.

5.5. May I consult a doctor of my choice?

You are entitled to be examined by a doctor of your choice at your own expense, but only if this does not delay examination by the public medical officer. The doctor of your choice may examine and take care of you. But he is not authorised to assess your fitness for detention.

If you wish to speak with your own doctor, please contact a police officer, a paramedic, the public medical officer or a social service agent.

5.6. What should I do, if I suffer from a chronic illness or am in need of medication?

If you have to take medication or suffer from a chronic illness, please tell the doctor. He can then decide which medication or treatment you require. After examination you will receive medication from a police officer (paramedic).



Please take your medication. Stockpiling of medication is prohibited. If you do not want to take your medication, speak with your doctor or a paramedic.

If you have your own medication, please tell the doctor or a police officer and provide him with all medical documentation.

5.7. Information on tuberculosis (TBC)

Tuberculosis (TBC) is a contagious disease subject to registration.

You may suffer from TBC without knowing it. Even without suffering from a medical condition for many years you can still be a TBC carrier. Therefore X-ray check-ups for TBC detection are very important. This is the only way an unknown case of TBC may be detected and treated.

When not treated, TBC has a 50 % mortality rate. Every year, about 2 million people die from TBC worldwide, because they did not receive adequate therapy.

In Austria, TBC is a disease which can be treated successfully. Treatment is free of charge for you. Also your family members may receive chest X-ray check-ups and, if necessary, adequate treatment free of charge.

There is no disadvantage for you by having your chest x-rayed - only advantages! It is an examination without danger. Your sexual organs are being protected. Your age cannot be determined by this examination.

You endanger your family and the people around you, if you refuse to be examined and treated.

If you wish to be examined, please contact a doctor, a police officer or a social service agent.

6. Release from Detention

6.1. General information on release from detention

In principle there are two possibilities why you may leave the Police Detention Centre (PAZ):

1. Your departure: you have the option to depart on a voluntary basis (see 2.3) or to be deported (see 2.4).
2. Other reasons: e.g. a decision by the Federal Administrative Court (BVwG); expiry of admissible duration of detention...

If you are being released, you should contact your legal representative (non-governmental organisation (NGO), lawyer). They may explain to you the status of your proceedings and whether you have to leave Austria.

6.2. Will I receive release documents?

You will receive a "certificate of detention" from the Police showing duration and time of detention. This certificate is free of charge.

Upon request you will receive copies of medical reports and expert opinions pertaining to injuries and illnesses suffered during detention.

6.3. What should my next steps be?

It is important for you to find out why you have been released from detention. Please immediately contact your legal advisor, a non-governmental organisation (NGO) or a lawyer to clarify the next steps to be taken.

If you were only released for being unfit for detention or for other reasons by virtue of which you cannot be deported for the time being (e.g. missing documents...), this does not change your obligation to leave Austria.

To enforce your obligation to leave Austria, you may be detained pending deportation again, once your physical condition has improved or a necessary document has been provided.

If it has been determined that you are unfit for detention, you will receive medical attention, if necessary. Bed-ridden patients will never be sent out on the street.

The following steps will be taken when you are deemed unfit for detention:

- if necessary, you will be picked up by an ambulance and taken to a hospital and/or
- you (or a police officer) will call a relative or friend, or
- you will be picked up by a social service agent or
- you will be referred to an aid institution (you will receive an information sheet with its address, possibly including a city map).

If you do not need medical assistance or help, you will be released and may leave the Police Detention Centre (PAZ).

If you are under 18 years, the Juvenile Welfare Agency will be informed by the Federal Office for Aliens and Asylum.

Within a period of 18 months (starting with the beginning of your first detention) you may be detained for a maximum period of 10 months. If you have not spent 10 months in detention

yet, you may be detained pending deportation again until this limit is reached. But this will depend on your personal legal situation.

In such a case, your proceedings will continue even after your release from detention. The Federal Office for Aliens and Asylum may, respectively must, issue a decision and finish the proceedings, even if you do not contact the authority.

Therefore it is important that you immediately contact the legal advisory service, a non-governmental organisation (NGO) or a lawyer and inform the Federal Office for Aliens and Asylum about your new address (address for service).

This information is being provided by:

Federal Ministry of the Interior