Following the Council of Ministers decision from 12 March 2025 to stop family reunification, an amendment to the Asylum Act will be introduced for the legal basis to temporary halt family reunification. This amendment will be introduced in the form of an initiative motion in the plenary session of the Austrian Parliament and then referred to the Committee on Internal Affairs.

Building on the existing special regulations (Section 36 of the Asylum Act) on applications for international protection, which were introduced in connection with the migration pressure in 2015/2016 and allowed to deviate from EU asylum rules, these will now be supplemented with a special provision for dealing with entry applications in accordance with Section 35 of the Asylum Act 2005 (family reunification for beneficiaries of international or subsidiary protection in Austria) (Section 36a of the Asylum Act).

The new special provision can be made applicable by decree of the Federal Government in agreement with the main committee of the Parliament if the systems are overloaded. The special provision includes a suspension of the decision deadline and decision obligation for entry procedures according to õ 35 Asylum Act 2005 until the expiry of the federal government regulation (with the exception of hardship cases). The special regulation will be introduced for a limited period until the end of September 2026.

Source(s)

- Federal Office for Immigration and Asylum | Bundesamt für Fremdenwesen und Asyl (26 March, 2025), Familiennachzug – nächster Schritt für nachhaltige Umsetzung [Family reunification – next step for sustainable implementation], https://www.bmi.gv.at/news.aspx?id=6A2B39447446793255544D3D

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