

Perceiving the Represented Image of Foreign Residents

—in the context of deportation in Austria and Switzerland in 2010—

Corinna Verena GOTO

Key words: Austria, deportation, foreign residents, representation, Switzerland

1. Introduction

This research note tries to subsume two opposing positions on the image of foreign residents in the neighboring countries of Austria and Switzerland in 2010. It was initiated upon the observation of timely coinciding events in the Austrian news. While in Austria demonstrations against deportation of “well integrated” juvenile asylum seekers and their families happened, in Switzerland a referendum in favor of a general deportation upon conviction for criminal offense was held. Neither are these positions of the needy and the felonious foreigner new nor are they unique to one of these countries. Rather, the coincidental synchronic occurrence demonstrated, with exceptional directness, the double sided image of “foreign” and “group-member” thinking.

The note will first illustrate the Swiss case. Starting with an overview over the migration statistics, it continues with the background, occurrence of, and the images used for the referendum. The Austrian case follows, also starting with a statistical background and then providing three deportation cases, all of which led to broad public sympathy. A very brief discussion on the cases will follow in a separate section.

Foreign residents in this paper are migrants, refugees, as well as asylum seekers. Even though the purpose of and entitlement to stay for each of these types of foreigners are fundamentally different, and in general these groups ought to be treated separately, the issue of deportation can be of concern for all, as will be shown below.

2. The Cases

2.1. Switzerland:

Switzerland with approximately 1.77 million foreign residents, representing 22% of the total population in 2010 (Statistik Schweiz, 2012), had one of the world’s highest

rates of foreign nationals.

In 2007, the Swiss People's Party (SVP) introduced the federal people's initiative "Für die Ausschaffung krimineller Ausländer" also known as "Ausschaffungsinitiative" – a citizen's initiative supporting the deportation of criminal foreigners. The initiative wanted to invoke a referendum through which the Swiss people could decide whether the constitution should be amended to include a general deportation for convicted foreigners or not. At this point it should be noted that in the existing laws in 2007 convicted foreigners could already get deported upon the discretionary powers of the court. Thus, in a case-by-case manner following an examination of the individual's circumstances and considering whether a deportation and the harm it might do to the person and his/her family, was proportional. The desired amendment concerned article 121 and article 179 of the constitution. It was asked if:

“foreign residents irrespective of their legal residence status should lose all legal claims to remain in Switzerland if they have been finally convicted of murder, rape and other grave sex offenses, violent crimes (like robbery), trafficking in human beings, drug-trafficking, housebreaking or improperly drawing social security or welfare aid¹.”
(Schweizerische Bundeskanzlei, 2012a)

The appropriate authorities would then be obliged to deport a criminal foreigner – migrant, asylum seeker or refugee – and refuse his/her reentry for 5-15 years. Upon acceptance of the referendum by the population, the legislators would be asked to find a way to incorporate these issues into the constitution. In respect to the list of crimes the lawmaker would be free to add further offenses (Schweizerische Bundeskanzlei, 2012a).

By March 7th 2008, the necessary signatures to invoke a nationwide referendum had been collected (Schweizerische Bundeskanzlei, 2012b). Due to the sensitivity of the contents and possible legal difficulties, the Swiss Federal Council examined the contents and concluded in 2009 that the initiative does not breach any peremptory norm of international law – foremost the principle of non-refoulement² – and thus has to be submitted to the people to decide on. In the same report, the Swiss Federal Council mentioned its concerns regarding other (not peremptory) legal norms like the European Convention on Human Rights, the freedom of movement of workers treaty with the EU, as well as the principle of proportionality of national law. An alternative draft was provided and the people were urged not to vote in favor of the initiative (Bundesrat, 2009; Reich, 2008).

The starting position for the initiative lay in the statistics of criminality: foreigners

commit a disproportional high amount of crimes. In Switzerland in 2009, of 80,366 suspects 38,437 or 47.8% were foreign nationals. Of these 38,437 suspected foreigners only 23,446 (29%) hold a resident permit; another 3,562 were in the asylum process. From 65,375 suspects with a residence in Switzerland, 36% were foreigners³ (Bundesamt für Statistik, 2010, 8; 2013; Bundesrat, 2009). These figures were utilized and reinterpreted in favor of the initiative. Arguments for the initiative read that in Switzerland the foreign population represents 22% of the total population, nevertheless, 47.8% of all crimes are committed by foreign nationals and 36% of all crimes are committed by foreigners with permanent resident status (Müller, 2010).

On November 28th 2010, the Swiss people voted on the referendum, and in favor of it. Almost 53% of the voters decided on the general and automatic deportation of convicted foreign nationals (Bosley & Richardson, 2010). On the same day the head of the federal Department of Justice and Police, Ms. Sommaruga gave a speech in which she announced that despite the abovementioned legal difficulty concerning the implementation of the referendum, she will carry out the will of the people. In the same speech she also stressed that most foreign residents are well integrated and contribute to the country economically, socially as well as culturally (Sommaruga, 2010).

The implementation of the initiative is, as of today, not complete. In May 2012, the Swiss Federal Council disclosed two possible models for the incorporation for consultation. A decision is expected in 2013 (Sommaruga, 2012). The SVP has started a new initiative since they especially regard the model favored by the Swiss Federal Council to be not in accordance with the initial “Ausschaffungsinitiative” – and thus does not conform with the will of people.

The campaign utilized 2 kinds of posters. One had a half red (with a white cross) half white background. The red half symbolizes the national flag of Switzerland, and thus its territory. On the “flag” three white sheep were depicted in cartoon style. One of them literally kicked a black sheep – so that this black sheep was no longer on the red background but “kicked out” into the white background. On some of these posters only the expelled black sheep and the legs of the kicking white sheep could be seen.⁴ The other kind of poster had a picture of a stronger, bearded man wearing a sleeveless white shirt and a thick chain necklace. Covering his eyes and almost half of his face was a black bar, on which in white letters “Ivan S., rapist” and in red letters “soon to be Swiss citizen?” was written. (The later statement referred to theoretically possible nationalization of foreign citizens.) Similar to this, the flyer opposing the alternative draft, showed three other men with their faces covered by a black bar on which one could read “Faruk B., murderer”, “Ismir K., impostor of social services” and “Detlef S.,

child molester”.

2.2. Austria

Neighboring Austria, hosted 0.89 million foreign residents in 2010, representing 10.7% of the total population (Statistik Austria, 2012a). In 2010, about 11,000 asylum applications were filed (B.M.I, 2011, 3). Of these asylum seekers 34 were below 14 years, and 653 between 14 and 18 years (B.M.I, 2011, 11). During the year 18,779 asylum cases were decided legally binding; 13,290 of them negative⁵ (B.M.I, 2011, 15).

In Austria, 1400 asylum seekers are said to be waiting for over one year, most of them 3 years and longer (up to 10 years) for a final decision. Often children and juveniles below 18 are involved – sometimes even alone. An NGO representative claimed that about 180 juveniles a year are in deportation detention. The feeling of uncertainty is said to lead to emotional pressure and mental instability, even suicide (DerStandard.at, 2010a, 2010b).

In the Austrian asylum law, asylum seekers are de-facto prohibited to work including vocational training (DerStandard.at, 2010b). Austria is stricter on the “Bleiberecht (right of abode / residence permit out of humanitarian reasons)” than other European countries. In 2009, merely 1,250 cases were granted the “right of abode” in Austria while Belgium is said to have approximately 10,000 cases a year and had some additional 25,000 of grandfathering cases in 2009 (DerStandard.at, 2010c). Furthermore, applications for humanitarian “right of abode” do not suspend deportation, thus people can be deported while awaiting a decision (Brickner, 2012). The UN Convention on the Rights of the Child (UNCRC) prohibits the detention for deportation for children. In 2010, due to a reservation made by Austria, the UNCRC had no constitutional status, neither did the needed “implementation” law exist. Thus the UNCRC was not directly enforceable (Beclin, 2011, 50; www.kinderrechte.gv.at, 2012).

Public attention to the deportation of so called well integrated families and children did not start nor did they end in 2010. Below, three of the most famous cases will be described.

The Zogaj Case:

The father of the family had entered Austrian territory “illegally” in 2001 and by 2002 his first asylum application was decided negative. All further asylum applications and appeals were also decided negative (DerStandard.at, 2010d, 2010e). On September 26th 2007 police came to deport the family of seven. At that point the case attracted public attention. The eldest daughter of the family, then 15 year old Arigona, went into

hiding and later in a video message even threatened to kill herself. The father and her four siblings were deported, while the mother was allowed to stay to urge the girl to return. In the course of the events the mother suffered a nervous breakdown. The case caught broad public attention leading to fierce discussions on the case as well as the issue of deporting well integrated⁶ people who had been living in Austria for over 5 years. On October 9th, Arigona returned from hiding. Two days later the district authority requested humanitarian right of abode for Arigona and her mother (Eybl, 2009, 66-71). The constitutional court decision was negative, but Arigona and the mother were allowed to stay until the end of the 2008 school term. During 2008, the father separated from the family. Arigona's two younger siblings returned to their mother in Austria and a new asylum application was filed in 2009. In November 2009 this asylum application was decided negative and the complaint to the constitutional court of March 2010 got rejected. The mother and the three children were again allowed to stay until the end of the school term, but were urged to leave then voluntarily. They left on July 15th 2010 (DerStandard.at, 2010d).

Not only did the issue lead to the assistance of the family in the community, as Eybl puts it “the unconventional participation against the *mainstream*” (Eybl, 2009, 91), but to an emotionally held discourse throughout the wider population of the whole country, which culminated in the demonstration “Genug ist Genug” (enough is enough) on July 1st 2010 at the Heldenplatz Vienna. According to the organizers, 20,000 people voiced their disapproval of the legally based existing (bad) practices concerning deportation, claiming that bad laws ought to get changed, that well integrated people should be able to stay, and that families ought not be torn apart (DerStandard.at, 2010f).

Merely four months after they left, the mother and the three younger children (including Arigona) of the Zogaj family could return to Austria legally. Three guarantors, including one actor and one clergyman, helped to obtain student visas for the children and a work visa for the mother (DerStandard.at, 2010g).

The Kamani Case:

October 6th 2010, 6:50 a.m., two 8-year-old girls and their father were put in deportation-detention (orf.at, 2010) and deported to Kosovo the following day, while the mother was hospitalized (DerStandard.at, 2010l). The community the family had lived in for 5 years organized a torchlight procession and started a working group. Additional to the issue of well integrated families and breaking apart of families, this case symbolized the detention of minors. In the news were photos of the two smiling girls after their first communion, dressed all in white, their blond long hair open; innocent,

like little angels (DerStandard.at, 2010a). Parents of their friends mention that they cannot explain to their children why their friends are gone (DerStandard.at, 2010a).

October 14th, the organizations Caritas, Amnesty International, SOS Kinderdorf (SOS Children's Villages) and Diakonie (social service of the catholic church) initiate the “Gegen Unrecht – Kinder gehören nicht ins Gefängnis” (Against injustice – children do not belong in prison) initiative. The initiative’s aim was children’s rights for all children in Austria, through unrestricted implementation of the UNCRC into the constitution as well as putting more emphasis on the best interest and welfare of the children in deportation cases. The petition received 116,565 signatories and was not only initiated by the leading charity and human rights organizations mentioned above, but also patronized by organizations like the Austrian Trade Union or the Austrian University Student Collective (Caritas, Amnesty International, SOS Kinderdorf, & Diakonie, 2010).

The Komani case ended with the return of the children and the father on October 21st and the application for resident-ship of the mother. As a result of the case, the then head of the alien police was fired and there was a plan to build special infrastructure for families. In 2011 the UNCRC was (partially) amended into the constitution (Parlament, 2011; www.kinderrechte.gv.at, 2012).

The Araksya M. Case:

The third case to be mentioned is of then 14 year old Araksya M. The Armenian national’s application for asylum was negative, since she and her mother had entered the EU through Hungary. According to the Dublin regulation they should be transferred back to Hungary – after a 4 year stay in Austria. On October 13th 2010, the girl ran away from school when the police came to take her to the detention center. At that time, the mother, due to her mental illness could not be deported, wherefore Araksya would have been deported alone. The girl reappeared on the night of the 14th (DerStandard.at, 2010a). In her case, the deportation was halted for the moment, but no final decision was delivered (DerStandard.at, 2010h, 2010i).

In the news, due to the application of the protection of minors⁷, there was no photo of Araksya provided – just a black-and-white drawing of a young girl with longer dark hair and big eyes, which looks rather absent-minded, but neither sad nor happy. Mostly her last name was abbreviated.

On October 18th, organized by the student representatives of the school Araksya attended, a high-school student demonstration took place, attended by 2,000 adolescents. Further actions by students included the collection of signatures, connecting with other

schools and writing a letter to then minister of interior Ms. Fekter (Obermayer, 2010).

Reactions from political and religious leaders on the Austrian national holiday October 26th 2010 included the speech of the Austrian Federal President Mr. Fischer, in which he stressed that a “right of abode” for well integrated migrant families would “spare us lots of work, tears and critics.” Similarly, Archbishop Schönborn also demanded the “right of abode” (DerStandard.at, 2010j).

2.3. Discussion

In the Austrian and Swiss cases mentioned above, the key issue is the deportation of foreign nationals. But it is not about whether foreign nationals are deported but rather how and on which grounds – and above all which foreigner should be deported. The debate at the basis is as old as any migration topic: whether foreign residents are mere criminals, abusers of the social system and “the other” per se – or capable, righteous people, sometimes with special needs – just like us – and part of the community of “us”.

The Swiss’ initiative represents the case of foreigners as “the other” and frames “faceless” foreigners – statistical numbers in the eyes of the beholder – into (possible) criminals. Foreigners are black sheep – not even human beings – who stray aside and do not obey, but also break the rules of the host-countries society. The arguments are based on security and fear and thus the outcome of the referendum is based on fear as well. With Mr. Sommaruga’s words:

“Today’s result is an expression of insecurity and fears within the population. I take these insecurities serious. As head of the federal department of justice and police it is my job, together with the cantons, to arrange for the population of our country to feel secure⁸.”
(Sommaruga, 2010)

Reason could not counter these fears, and thus neither the comments of the Swiss Federal Council concerning the legal problems respective to the implementation of the referendum (Sommaruga, 2012), nor their direct suggestion not to approve the referendum could influence the vote. It has to be stressed that this vote cannot be seen as the general opinion of the Swiss people regarding the foreign residents in their country. One can easily find articles transporting positive images in word or picture concerning e.g. the positive economic impact (Neue Züricher Zeitung, 2010), the problematic (Rigutto, 2012) and pitiful (Aargauer Zeitung, 2011) situation of asylum seekers or the language (dis-)advantage (Neue Züricher Zeitung, 2012) of foreigners in Switzerland.

The case of Austria was contrary to the Swiss case since the objects of concern are the innocent, cute, and “well integrated” children. They have names, faces, stories, families and friends within the host community – they are part of “us”. When parents of their friends mention that they cannot explain to their children why their friends are gone (DerStandard.at, 2010a), they indirectly mention further “harm” done by hurting more “innocent” (national) children. They are seen as victims (of the system), not aggressors, and no matter if one might argue that they never had the right to stay that long to begin with, they are portrayed as children and – like all children – need to be protected by “their” whole community⁹.

But that does not say that Austrians are friendlier towards foreign nationals. On the contrary, as Eybl mentioned in her thesis, the Austrian mainstream opinion, when it comes to asylum seekers, is not welcoming. She adds, that while foreigners in the immediate neighborhood are not perceived as a threat, in the larger context immigration is perceived as problematic concerning the state (-security) as well as the society (Eybl, 2009, 34-39). This might be applicable to Switzerland as well. Thus it could be deduced, that cases like the Austrian ones would find great public support if the concerned would be righteous, well integrated families and children.

In respect to the Swiss referendum members of the Austrian rightwing parties, Freedom Party of Austria (Freiheitliche Partei Österreich, FPÖ) and the Alliance for the Future of Austria (Bündnis Zukunft Österreich, BZÖ), praised the Swiss people and announced to initiate a similar referendum as well (DerStandard.at, 2010m). In the *European Social Survey 2003 – Overall majority populations’ attitudes towards minorities in ‘western’ and ‘eastern’ European societies according to different dimensions of ethnic exclusionism*, the Austrian population’s support on the question “Favor repatriation policies for criminal migrants” was 61.46%¹⁰ (Coenders, Lubbers, & Scheepers, 2005, 37). It is very likely that a referendum like the Swiss one – on criminal foreigners, using the same language of fear – would find approval in Austria as well. It should be mentioned here, that the language of fear towards the foreign – be it person or religion – is already being utilized strongly by the FPÖ. The posters of this party’s campaigns have ranged from morally questionable and politically incorrect to as far as violating Art. 283 “Verhetzung” (“incitement” against a church or religious group, in a public way, capable to disturb the public order) of the Austrian Criminal Code (StGB). The later was the case for posters which read “Heimatliebe statt Marokkaner-Diebe” (Patriotism instead of Moroccan thieves) (orf.at, 2013). Even though these posters are unlike the Swiss posters not visually displaying foreigners, the negative image and the imputed connection of (certain groups of) foreigners and crime is obvious.

It can be said, that it was not a country's mainstream opinion on deportation or foreigners in general which decided these cases, but it all came down to a face vs. a number, the language of fear vs. reason and the question of whom we want to perceive as part of us.

3. Concluding Remarks

This research note attempted to show the two sidedness of the topic of foreign residents. It gave evidence of the issue of deportation in the neighboring countries of Austria and Switzerland in 2010. The cases show, that not only does it make a difference if someone is a criminal or not, to attract our sympathy, but also how the images and language used play with our associations of good / "us" and evil / "other".

Concerning the impact of the language of fear and security as well as our perception of the "us" and the "other", further research is necessary. In connection with the Austrian cases, another interesting and problematic issue should not be forgotten; the utilization of children and young adults not only as figureheads for a socio-political topic (DerStandard.at, 2010k) but also to write the most emotional, and catchy news-story (Ströbitzer & Tomassovits-Weis, 2012). Lastly, with regard to the Swiss decision one might also question the good of giving the power to the masses, if the information can so easily be biased and colored. After all, democracy, as majority rule, might be (ab)used to serve only the majority.

¹ Translation from the author from the original quote: "Sie (= die Ausländerinnen und Ausländer) verlieren unabhängig von ihrem ausländerrechtlichen Status ihr Aufenthaltsrecht sowie alle Rechtsansprüche auf Aufenthalt in der Schweiz, wenn sie: wegen eines vorsätzlichen Tötungsdelikts, wegen einer Vergewaltigung oder eines anderen schweren Sexualdelikts, wegen eines anderen Gewaltdelikts wie Raub, wegen Menschenhandels, Drogenhandels oder eines Einbruchdelikts rechtskräftig verurteilt worden sind; oder missbräuchlich Leistungen der Sozialversicherungen oder der Sozialhilfe bezogen haben." (Schweizerische Bundeskanzlei, 2012a)

² The principle of non-refoulement is a principle of international public law protecting people (mostly refugees) from being returned or deported to a country where they face real risk of irreparable harm to their lives or freedoms (United Nations High Commissioner for Refugees, 1967, 10).

³ For further reference it should be noted that from 88,125 convictions in 2009, 45,793 (52%) convicted persons were foreigners, but only 20,987 (23.8%) foreigners residing in Switzerland (Bundesamt für Statistik, 2013). In Austria in 2009 591,597 criminal offenses were recorded, of which 235,760 could be solved leading to 246,378 alleged criminals of whom 69,791 (28%) were foreigners (Statistik Austria, 2012b). In the same year from the 37,868 total convictions 11,309 (29.8) convicted people were non-Austrian (Statistik Austria, 2012c). Unfortunately, the statistics on Austria do not include information on the residence status of the non-Austrian suspects or convicted persons.

⁴ It is possible to see and download these posters from the homepage of the

“Ausschaffungsinitiative” (<http://www.ausschaffungsinitiative.ch/de/downloads/index.html>).

⁵ In numbers, more cases could be decided than were filed in 2010 because many of the cases were filed in previous years. Thus, these numbers do not suggest that the cases filed in 2010 were actually decided in the same year.

⁶ “Well integrated” is a very vague measure hinting at the efforts taken by the foreign resident to fit into and assimilate to the host society and its culture. In this case the facts mentioned are that the children attended school where they had friends, and it is said that Arigona spoke German with a regional Austrian dialect in her video message. These points can be seen as some parts of the family’s (social and cultural) integration.

⁷ It is not clear why in her case the protection of minors was applied, but not in the case of the Komani twins.

⁸ Translation from the author from the original quote: „Das heutige Resultat ist Ausdruck von Unsicherheiten und Ängsten in der Bevölkerung. Ich nehme diese Unsicherheiten ernst. Als Vorsteherin des Justiz- und Polizeidepartements ist es meine Aufgabe, gemeinsam mit den Kantonen dafür zu sorgen, dass sich die Bevölkerung in unserem Land sicher fühlen kann.“ (Sommaruga, 2010)

⁹ A Swiss article on the situation of asylum seekers also included pictures of playing and laughing children. Unlike the Austrian newspaper articles this article did not foster the innocence of children but rather displayed them through a universally applicable image of childlike and carefree laughter and behavior. Thus it hinted more on the similarity between all children providing affiliation (Rigutto, 2012).

¹⁰ The European mean was 70%, ranging from 43.83% in Denmark to 91.9% in Hungary. Switzerland was not represented in this survey (Coenders et al., 2005, 14).

Bibliography

Aargauer Zeitung. (2011, January 30). Serbische Roma drängen in die Schweiz. Retrieved from <http://www.aargauerzeitung.ch/schweiz/serbische-roma-draengen-in-die-schweiz-1041222>

73

Beclin, K. and T. D. and M. P. (2011). *Chancengleichheit für die Jugend*. Retrieved from http://www.kripo.at/FACHARTIKEL/2012/Chancengleichheit_fuer_die_Jugend.pdf#page=149

BM.I. (2011). Asylstatistik 2010. Republik Österreich, Bundesministerium für Inneres. Retrieved from http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik/files/Asylstatistik_Jahresstatistik_2010.pdf

Bosley, C., & Richardson, A. (2010). Swiss referendum backs expelling convicted foreigners. Zurich. Retrieved from <http://www.reuters.com/article/2010/11/28/us-swiss-politics-expulsion-idUSTRE6AR1GK20101128>

-
- Brickner, I. (2012). Abschiebungskonjunktur. Retrieved from <http://derstandard.at/1345166567868/Abschiebungskonjunktur-Brickners-Blog>
- Bundesamt für Statistik. (2010). Polizeiliche Kriminalstatistik (PKS)-Jahresbericht 2009. Retrieved from <http://www.bfs.admin.ch/bfs/portal/de/index/themen/19/22/publ.html?publicationID=3866>
- Bundesamt für Statistik. (2013). *Bevölkerungszahlen, Strafverfolgungs- und Strafvollzugszahlen im Vergleich*. Retrieved from <http://www.bfs.admin.ch/bfs/portal/de/index/themen/19/04/05/01/02.html>
- Bundesrat. (2009). Botschaft zur Volksinitiative «für die Ausschaffung krimineller Ausländer (Ausschaffungsinitiative)» und zur Änderung des Bundesgesetzes über die Ausländerinnen und Ausländer. Retrieved from <http://www.admin.ch/ch/d/ff/2009/5097.pdf>
- Caritas, Amnesty International, SOS Kinderdorf, & Diakonie. (2010). Kinder gehören nicht ins Gefängnis. Retrieved from <http://www.gegen-unrecht.at/>
- Coenders, M., Lubbers, M., & Scheepers, P. (2005). *Majorities' attitudes towards minorities: Key findings from the eurobarometer and the european social survey, summary. ... , Belgium: European Monitoring Centre on ...*. Retrieved from http://fra.europa.eu/sites/default/files/fra_uploads/146-EB2005-summary.pdf
- DerStandard.at. (2010a). Widerstand gegen Abschiebungen wächst. Retrieved from <http://derstandard.at/1285200925227/Kinderabschiebungen-Widerstand-gegen-Abschiebungen-waechst>
- DerStandard.at. (2010b). “Für Jugendliche besonders grausam”. Retrieved from <http://derstandard.at/1287099432768/STANDARD-Interview-Fuer-Jugendliche-besonders-grausam>
- DerStandard.at. (2010c). Bleiberecht: Fekter fürchtet den Staubsaugereffekt. Retrieved from <http://derstandard.at/1287100006713/Amnestie-fuer-Zugewanderte-Bleiberecht-Fekter-fuechtet-den-Staubsaugereffekt>

-
- DerStandard.at. (2010d). Familie Zogaj kehrt nach Frankenburg zurück. Retrieved from <http://derstandard.at/1289608488621/Alle-Kriterien-erfuellt-Familie-Zogaj-kehrt-nach-Frankenburg-zurueck>
- DerStandard.at. (2010e). Familie Zogaj kann zurück nach Österreich. Retrieved from <http://derstandard.at/1289608456692/Alle-Kriterien-erfuellt-Familie-Zogaj-kann-zurueck-nach-Oesterreich>
- DerStandard.at. (2010f). Demo “ Genug ist genug ”- Livebericht. Retrieved from <http://derstandard.at/1277337179419/Livebericht-Demo-Genug-ist-genug>
- DerStandard.at. (2010g). Familie Zogaj zurück in Österreich. Retrieved from <http://derstandard.at/1289608662073/Familie-Zogaj-zurueck-in-Oesterreich>
- DerStandard.at. (2010h). “Jede Abschiebung von Jugendlichen ist problematisch”. Retrieved from <http://derstandard.at/1289608476654/derStandardat-Interview-Jede-Abschiebung-von-Jugendlichen-ist-problematisch>
- DerStandard.at. (2010i). “Araksya hatte große Furcht”. Retrieved from <http://derstandard.at/1287099531382/Abschiebungsversuch-Araksya-hatte-grosse-Furcht>
- DerStandard.at. (2010j). Bundespräsident fordert Bleiberecht für integrierte Familien. Retrieved from <http://derstandard.at/1287100023298/Ansprache-Bundespraesident-forderte-Bleiberecht-fuer-integrierte-Familien>
- DerStandard.at. (2010k). Unfreiwillige Galionsfigur der Zivilgesellschaft. Retrieved from <http://derstandard.at/1287099290184/Kopf-des-Tages-Unfreiwillige-Galionsfigur-der-Zivilgesellschaft>
- DerStandard.at. (2010l, October 7). Zwillinge und Vater wurden abgeschoben. Retrieved from <http://derstandard.at/1285200257104/Zwillinge-und-Vater-wurden-abgeschoben>
- DerStandard.at. (2010m, November 29). FPÖ erfreut über Erfolg der “Ausschaffungsinitiative”. Retrieved from

<http://derstandard.at/1289609013576/Kriminalitaet-FPOe-erfreut-ueber-Erfolg-der-Ausschaffungsinitiative>

Eybl, A. (2009). „*Unkonventionelle politische Partizipation gegen den mainstream: Was bewog einige BewohnerInnen von Frankenburg dazu, für Familie Zogaj einzutreten?*“.

Universitaet Wien. Retrieved from

http://othes.univie.ac.at/7047/1/2009-10-18_0103913.pdf

Müller, A. (2010). Gründe für ein JA zur Ausschaffungsinitiative. Zurich. Retrieved from

<http://www.dailytalk.ch/grunde-fur-ein-ja-zur-ausschaffungsinitiative/>

Neue Züricher Zeitung. (2010, June 18). Das positive Potenzial der Migration ausschöpfen.

Retrieved from

<http://www.nzz.ch/aktuell/startseite/das-positive-potenzial-der-migration-ausschoepfen-1.6143277>

Neue Züricher Zeitung. (2012, February 21). Muttersprache braucht Wertschätzung. Retrieved from

<http://www.nzz.ch/aktuell/schweiz/spracherwerb-muttersprache-schule-cornelia-frigerio-sayilir-1.15201211>

Obermayer, M. (2010). “Zuerst freie Menschen, dann freie Straßen”. Retrieved from

<http://derstandard.at/1287099515913/Schueler-Demo-Zuerst-freie-Menschen-dann-freie-Strassen>

orf.at. (2010, October 6). Asyl: Aufregung um Schubhaft für Achtjährige. Retrieved from

<http://wiev1.orf.at/stories/474324>

orf.at. (2013, February 1). Penz wegen Verhetzung verurteilt. Retrieved from

<http://tirol.orf.at/news/stories/2569588/>

Parlament. (2011). Bundesrat: Grünes Licht für Kinderrechte in Verfassung. Retrieved from

http://www.parlament.gv.at/PAKT/AKT/SCHLTHEM/THEMA/2011_01_10_Kinderrechte.shtml

Reich, J. (2008). Verletzt die “Ausschaffungsinitiative” zwingende Bestimmungen des

Völkerrechts. *Zeitschrift für Schweizerisches Recht*, 499–520. Retrieved from

[http://www.rwi.uzh.ch/lehre/forschung/alphabetisch/jreich/person/publikation/ZSRVerletzt dieAusschaffungsinitiative zwingendeBestimmungenendesVoelkerrechts.pdf](http://www.rwi.uzh.ch/lehre/forschung/alphabetisch/jreich/person/publikation/ZSRVerletzt%20dieAusschaffungsinitiative%20zwingendeBestimmungenendesVoelkerrechts.pdf)

Rigutto, S. (2012, March 20). Asyl - Im Wartezimmer der Schweiz. Retrieved from <http://www.annabelle.ch/gesellschaft/politik/asyl-im-wartezimmer-der-schweiz-22731>

Schweizerische Bundeskanzlei. (2012a). Eidgenössische Volksinitiative “für die Ausschaffung krimineller Ausländer (Ausschaffungsinitiative)”. Retrieved from <http://www.admin.ch/ch/d/pore/vi/vis357t.html>

Schweizerische Bundeskanzlei. (2012b). Eidgenössische Volksinitiative “für die Ausschaffung krimineller Ausländer (Ausschaffungsinitiative)” - Chronologie. Retrieved from <http://www.admin.ch/ch/d/pore/vi/vis357.html>

Sommaruga, S. (2010). “Ausschaffungsinitiative” und Gegenentwurf. Eidgenössisches Justiz- und Polizeidepartement. Retrieved from <http://www.bfm.admin.ch/content/ejpd/de/home/dokumentation/red/2010/2010-11-28.html>

Sommaruga, S. (2012). Umsetzung der Volksinitiative “Für die Ausschaffung krimineller Ausländer”: Statement von Bundesrätin Simonetta Sommaruga. Eidgenössisches Justiz- und Polizeidepartement. Retrieved from <http://www.bfm.admin.ch/content/ejpd/de/home/dokumentation/red/2012/2012-05-23.html>

Statistik Austria. (2012a). Bevölkerung zu Jahresbeginn seit 2002 nach zusammengefasster Staatsangehörigkeit - Österreich. Retrieved from http://www.statistik.at/web_de/statistiken/bevoelkerung/bevoelkerungsstruktur/bevoelkerung_nach_staatsangehoerigkeit_geburtsland/index.html

Statistik Austria. (2012b). *Polizeiliche Kriminalstatistik 1990 bis 2011* (p. 2012). Retrieved from http://www.statistik.at/web_de/statistiken/soziales/kriminalitaet/anzeigen_polizeiliche_kriminalstatistik/020113.html

Statistik Austria. (2012c). *Verurteilungen nach Alter zum Tatzeitpunkt und Staatsangehörigkeit seit 1975* (p. 2012). Retrieved from http://www.statistik.at/web_de/statistiken/soziales/kriminalitaet/verurteilungen_gerichtlich_e_kriminalstatistik/index.html

Statistik Schweiz. (2012). Staendige Wohnbevoelkerung nach Statsangehoerigkeit 2010 Schweiz. Retrieved from http://www.pxweb.bfs.admin.ch/Dialog/varval.asp?ma=px-d-01-2A04&path=../Database/German_01 - Bev%F6lkerung/01.2 - Bev%F6lkerungsstand und -bewegung/&lang=1&prod=01&openChild=true&secprod=2

Ströbitzer, S., & Tomassovits-Weis, B. (2012). Vom Verbrechens- zum Medienopfer. *Pädiatrie & Pädologie*, 47(2), 12–15. doi:10.1007/s00608-012-0357-3

United Nations High Commissioner for Refugees. (1967). *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol* (Vol. 428, pp. 1–19).

www.kinderrechte.gv.at. (2012). Die UN-Kinderrechtskonvention(KRK). Retrieved from <http://www.kinderrechte.gv.at/home/un-konvention/content.html>

(All websites were last viewed on January 9th 2013)

(Lecturer, School of General Education, Shinshu University)
10/ Jan. / 2013 Received 8/ Feb. / 2013 Accepted