



## Submission Regarding Australia's Humanitarian Program 2022–23

August 2022

Combined Refugee Action Group (CRAG) is based in Geelong, Victoria, and has a membership of around 700 individuals and community organisations including faith groups, social justice groups, community organisations, political groups and local refugee support groups, across the Corangamite, Corio and Wannon electorates. CRAG advocates for fair and decent policies for asylum seekers and refugees, which are informed by the UN Refugee Convention and Protocol.

We appreciate the opportunity to provide a submission to help inform the development and composition of the Humanitarian Program in 2022-23.

### **Humanitarian Program Aims**

CRAG broadly supports the aims of the Humanitarian Program's to:

- meet Australia's international protection obligations, so that Australia is an exemplar in our region and beyond;
- provide permanent resettlement to those most in need, who are in desperate situations, including in refugee camps and protracted refugee situations;
- use resettlement strategically to help stabilise refugee populations, reduce the prospect of irregular movement from source countries and countries of first asylum, and support broader international protection;
- be flexible and responsive to changing global resettlement needs and emerging humanitarian situations to ensure Australia's approach remains comprehensive and high-quality; and
- reunite refugees and people who are in refugee-like situations overseas with their family in Australia.

However, it must be acknowledged that those who decide to leave a country in perilous circumstances have the right, under the Refugee Convention, to determine their means of departure. People should not be prevented from undertaking irregular movement from source countries if that is the only way to get to safety.

### **Regional Resettlement**

We are pleased to see that the Government has acknowledged that resettlement in regional areas can only be successful when the needs of both the humanitarian entrants and the communities that support them are prioritised. Access to employment, English classes, and appropriate support services, which have received appropriate cultural awareness training, are integral to successful resettlement.

## Size and Composition of the Humanitarian Program

Noting that total of only 5,947 visas were granted under the 2020-21 Humanitarian Program (which is well below the ceiling of 13,750 places determined for that year), CRAG calls on the government to provide additional places in the 2022-23 year in order to make up that shortfall.

CRAG would like to see an increase in the number of the following visas in particular:

- **In-country Special Humanitarian visa (subclass 201)** – for people living in their home country who are subject to persecution.

It is not always possible for people to leave the country of persecution to apply for asylum. Not having access to relevant documentation is often part of the persecution. People from certain countries also find it almost impossible to be granted visas for other nations. Subclass 201 visas provide a way for people to access refuge in Australia without having to engage people smugglers for their journey.

- **SHP Category (subclass 202)** – for people outside their home country, subject to substantial discrimination amounting to a gross violation of human rights and who have family or community ties to Australia.

Many people who have sought asylum in Australia, and been granted refugee status, have family members living in situations of danger and discrimination in nations other than their own (For example: Afghan Hazara people in Pakistan and Iran, Sri Lankan Tamils in displaced people's camps in India, and family members of refugees stranded in transit countries in our region). An increase in places made available through these visas would allow families to reunite and to rebuild their lives together in safety, often after many years. It would also help to achieve the Humanitarian Program's aim of reuniting refugees and people who are in refugee-like situations overseas with their family in Australia.

- **Woman at Risk visa (subclass 204)** – for women and their dependents subject to persecution in their home country, or registered as being 'of concern' to UNHCR, and without the protection of a male relative.

This visa category is of particular importance now that the Taliban has regained power in Afghanistan, and laws are being implemented prevent women from working, or from leaving the house without a male relative.

Australia's refugee intake, in practice, has fallen to the lowest number in decades. Thousands of applications from Afghanistan have been received by Home Affairs since the fall of Kabul to the Taliban. Afghan refugees have become part of our rich multicultural communities over many, many years. CRAG has welcomed the special Afghan intake of 4,125 places per year over four years, however Australia needs to provide more assistance for Afghan refugees in order to meet the Humanitarian Program's aim of being responsive to changing global resettlement needs and emerging humanitarian situations.

Approximately 12,000 – 14,000 people are registered with UNHCR in Indonesia and have been stranded there for years since the Abbott Government placed a ban on UNHCR referrals from Indonesia. This ban must be lifted in order to achieve the Humanitarian Program's aims of becoming an exemplar in our region and reducing the prospect of irregular movement from countries of first asylum.

The situation in Sri Lanka continues to decline, and Australia must be open to receiving applications for the above visa categories from people there, in order to assist with Program's aim of reducing the prospect of irregular movement from source countries.

## **Community Refugee Integration and Settlement Pilot (CRISP)**

CRAG welcomes the implementation of the CRISP program, where arriving refugees will have access to income support and Medicare and will be helped to settle by a group of trained community volunteers, rather than government-funded settlement service providers. However, we believe that this program must operate in addition to, and not within, annual government quotas for refugee resettlement.

Less than one per cent of refugees are resettled each year. Only a small number of nations take part in the UNHCR's resettlement program, with Canada, Germany, the United Kingdom, Australia and the Nordic countries providing substantial intakes each year. Australia's refugee intake was capped at around 18,000 people per year just prior to the Covid-19 pandemic. This represented just 0.009% of the need identified by the UNHCR at the end of 2019.

It is important for our nation to act as a positive global citizen, and for the Australian Government to demonstrate leadership, by providing a generous government-funded resettlement program. Local communities will be much more likely to be energised to engage with a community sponsorship program if the program provides additional opportunities for people to rebuild their lives in safety. In fact, it would be very difficult to garner support if people perceived that the government was abdicating its responsibility by passing work and expenses, for the existing humanitarian entrant quota, on to local communities.

## **A Non-Discriminatory Approach**

Page 4 of the discussion paper states that the Humanitarian Program intake is drawn from a range of nationalities, ethnic and religious groups, and that "The Australian Government is committed to a non-discriminatory approach to this intake." CRAG asserts that for the Program's approach to be truly non-discriminatory, people must not be discriminated against by their mode of arrival in Australia. Not only should people who seek asylum in Australia have access permanent residency and pathways to citizenship regardless of their mode of arrival, but they should not be denied access to, nor made lower priority for, opportunities for family reunion as has been the case for more than ten years now.

Under the heading of 'On Shore Component of the Humanitarian Program' (page 6), the information paper states, "*Since September 2013, the onshore component of the Program has been reserved for people who arrive lawfully in Australia and engage Australia's protection obligations because they are either found to be a refugee or meet the complementary protection criteria under the Migration Act 1958 (the Act).*" CRAG wishes to remind the Australian Government that all people who enter a UN Refugee Convention signatory country for the purpose of seeking asylum, do so lawfully.