

**SUBMISSION IN
RESPONSE TO
*THE HUMANITARIAN
PROGRAMME FOR
2017-2018*
DISCUSSION PAPER**

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Edmund Rice Centre for Justice and Community Education Submission in response to the *Humanitarian Programme for 2017-2018* discussion paper

Introduction

The international community is facing the greatest global humanitarian crisis since World War Two. The United Nations High Commission for Refugees (UNHCR) estimated that by the end of 2015, 65.3 million people were forcibly displaced as a result of persecution, conflict, generalised violence or human rights violations.¹ This included 21.3 million refugees. In this context, the Edmund Rice Centre (ERC) believes the Australian Government can and should do more to accept refugees and humanitarian entrants.

This submission provides recommendations to the following questions:

In the global context, there are large numbers of people in need of resettlement and limited places available in Australia. What should Australia's priorities be for accepting refugees and humanitarian entrants, including those in protracted situations?

What can the Australian Government do to encourage involvement from the private, educational and community sectors to assist humanitarian entrants to secure stable employment and achieve self-sufficiency?

About the Edmund Rice Centre

ERC works to promote, protect and defend human rights, social justice and eco-justice through research, advocacy, community education and partnership building. Our vision is of a just world where right relationships ensure that human rights are protected and promote and social and environmental justice is a reality.

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¹ UNHCR, the UN Refugee Agency, 2016, *Figures at a Glance*, <http://www.unhcr.org/en-au/figures-at-a-glance.html>



In the global context, there are large numbers of people in need of resettlement and limited places available in Australia. What should Australia’s priorities be for accepting refugees and humanitarian entrants, including those in protracted situations?

Recommendation 1:

Despite the fact that the Australian Government plans to increase its humanitarian resettlement intake to 16,250 places in 2017-18 and 18,750 places in 2018-29, Australia is still far behind other countries. ERC recognises that Australia is currently ranked third in the resettlement of refugees through the UNHCR (after the United States and Canada), and most of the refugees who are settled in Australia come through the UNHCR. However, when it comes to the total number of refugees recognised and resettled by a country, Australia is ranked 25th and on a per capita basis, Australia is ranked 32nd.²

We recommend an increase of 6,000 places to the 2017-18 Australia’s offshore refugee resettlement program, followed by 2,500 for each year in the following 5 years towards an annual resettlement program of 35,000 places by 2025.

Recommendation 2:

According to the UNHCR, by the end of 2015 there were 21.3 million people refugees in the world of which 1.5 million refugees were recognised by the UNHCR in need of immediate humanitarian resettlement. With 1.5 million refugees in need of immediate resettlement, the Australian Government needs to do more to properly fulfil its international protection obligations by introducing additional humanitarian resettlement places, like the 12,000 places announced for Iraqi and Syrian refugees.³

We recommend an additional 12,000 offshore refugee resettlement places by the Australian Government for 2017-19 in addition to the regular Humanitarian Programme quota, providing humanitarian resettlement for the most needy refugees displaced by conflict in Syria, Iraq, Afghanistan, Somalia, Congo, Myanmar, and other conflict zones.

Recommendation 3:

Australia is one of very few countries to count onshore protection entrants as part of its Humanitarian Programme. We recommend that the Australian Government “de-link” the offshore and onshore programmes. Had this link not existed in 2015-16, an additional 2,003 offshore places would have been available as part of the Humanitarian Programme.⁴

² ABC, 2016, *Where does Australia rank on its refugee intake*, <http://www.abc.net.au/news/2016-09-21/where-does-australia-rank-on-its-refugee-intake/7864070>.

³ Save the Children, 2016, *Save the Children Australia: Humanitarian Intake Submission to Department of Immigration and Border Protection 2016-17*, https://www.savethechildren.org.au/_data/assets/pdf_file/0003/138207/SCA_Humanitarian-Intake-Submission-to-DIBP-2016-17.pdf.

⁴ Department of Immigration and Border Protection, 2017, *Discussion Paper: Australia’s Humanitarian Programme, 2017-18*



Recommendation 4:

We note that approximately 1,200 visas have been granted under the Community Proposal Pilot since it was established in 2013. From 1 July 2017, the Pilot will be replaced by the Community Support Programme (CSP), which will enable businesses, families and individuals in the community to propose up to 1,000 refugees and humanitarian entrants for resettlement in Australia. Any entrant resettled under this Programme will form part of the overall Humanitarian Programme.

While we support in-principle a model of private sponsorship pathways to resettlement, we have a number of concerns about the CSP.

Firstly, private and community sponsorship pathways should be implemented in addition to – rather than in place of – the Government’s Humanitarian Programme. Under the CSP, no additional person will be resettled in Australia.

Furthermore, we echo the concerns raised by the Kaldor Centre for International Refugee Law that an –

“Expansion of the CSP within the quota would risk Australia’s refugee and humanitarian program morphing into a migration programme. This would mean that access to resettlement would depend on entrants having skills needed in Australia – and businesses willing to propose them – or already having family members in the country. The most vulnerable refugees would be left behind.”⁵

We also recommend the Australian Government implement effective monitoring and evaluation processes to ensure sponsors are prepared for and meeting their responsibilities.

A number of other models should also be considered, including programmes that provide a pathway to resettlement for refugees outside the Humanitarian Programme. This includes the removal of barriers faced by refugees who wish to apply for existing skilled, family or student visas. We note that the organisation *Talent Beyond Boundaries* expects to have a database of 10,000 skilled refugees in Jordan and Lebanon by the middle of this year; it may be possible to resettle a number of these refugees, outside the Humanitarian Programme, under a skills visa category.⁶

The fundamental principle of any private or community sponsorship model must be ‘additionality’ – any refugee resettled under such a programme ought to be in addition to the Humanitarian Programme.

⁵ Khanh Hoang, 2017, *The risks and rewards of private humanitarian and refugee sponsorship*, Lowy Institute, <https://www.lowyinstitute.org/the-interpreter/risks-and-rewards-private-humanitarian-and-refugee-sponsorship>

⁶ Khanh Hoang, 2017, *The risks and rewards of private humanitarian and refugee sponsorship*, Lowy Institute, <https://www.lowyinstitute.org/the-interpreter/risks-and-rewards-private-humanitarian-and-refugee-sponsorship>



Recommendation 5:

The discussion paper correctly notes Australia has an important role to play in building a regional cooperation framework.

The programs developed in response to the Indo-Chinese refugee crisis in the 1970s and 1980s – the *Orderly Departure Program* and *Comprehensive Plan of Action* – provide a good model as to how an effective regional model would work.

The programs offered humane pathways to protection in the aftermath of the Vietnam War: people seeking asylum did not have to get on a boat because there were safe places near their homeland where their refugee claims could be processed and where an orderly resettlement process could take place.

We recommend that the Government prioritise the development of a regional cooperation framework to facilitate the realisation of durable solutions for refugees, namely:

- Safe and voluntary repatriation;
- Local integration in host countries; and
- Resettlement.

A regional cooperation framework would include:

- The removal of barriers to refugee determination processes in countries such as Indonesia, Malaysia and Thailand;
- Establishing protected spaces for international agencies such as the UNHCR to process claims and for NGOs to provide services to refugees and asylum seekers;
- Cooperation between host countries, the UNHCR and resettlement states to provide durable solutions to refugees, whether that is resettlement, integration in a host country or assisted voluntary repatriation;
- Consistent asylum processes across the region based on the Refugee Convention – these processes would include legislation for refugee status determination and independent review rights;
- Improving conditions for refugees and asylum seekers in host and transit countries, such as legal permission to stay, work rights and access to basic services;
- An increase in Australia’s humanitarian intake to 35,000 by 2025; and
- Increased funding for the UNHCR from countries of resettlement, such as Australia.

Furthermore, ERC is of the view that *Operation Sovereign Borders* and current regional processing policies are a significant barrier to an effective and durable regional framework.



What can the Australian Government do to encourage involvement from the private, educational and community sectors to assist humanitarian entrants to secure stable employment and achieve self-sufficiency?

Recommendation 6:

An important step towards smooth resettlement and successful integration of humanitarian entrants in Australia is the introduction of special employment and education programs by the private and public sectors. There is overwhelming evidence that employment provides the necessary foundation for successful resettlement and social integration, and the best way to help humanitarian entrants to build flourishing lives in Australia is to help them find suitable employment opportunities.⁷

We recommend that the Australian Government should take necessary measures, including consulting with settlement service providers, allocating essential resources, and develop employment pathways with policy and educational institutions, to pave the way for the smooth resettlement and successful integration of the newly arrived humanitarian entrants into the Australian society.

Recommendation 7:

English language proficiency is imperative for humanitarian entrants to secure stable employment and achieve self-sufficiency. In our consultation with settlement organisations, such as the Horn of Africa Relief and Development Agency, concerns were raised about existing English language programmes being seen as a “tick-a-box” exercise. Therefore, we recommend that the monitoring and evaluation processes of English language training programmes be reviewed and refined to improve delivery and outcomes.

Recommendation 8:

While recognising overseas skills and qualifications has been a long-standing goal for the Australian Government, establishing comprehensive mechanisms for recognising the skills and qualifications of humanitarian entrants has been a difficult process in Australia. This has resulted in a situation whereby the relevant training, experience and qualifications of many humanitarian entrants for particular occupations have not been recognised by Australian employers in the private and public sectors.⁸

We recommend that the Australian Government, with the support of educational institutions, create a comprehensive mechanism for recognising overseas trainings, experience and qualifications of humanitarian entrants. This would help newly arrived

⁷ Centre for Policy Development, 2017, *Settling Better Report: Reforming Refugee Employment and Settlement Services*, <https://cpd.org.au/wp-content/uploads/2017/02/Settling-Better-Report-20-February-2017.compressed.pdf>.

⁸ Ibolya Losoncz, 2016, *The way to a cohesive society: cultural assimilation or structural inclusion?* <http://asiapacific.anu.edu.au/regarding-rights/2016/04/15/the-way-to-a-cohesive-society-cultural-assimilation-or-structural-inclusion/>.



refugees to take advantage of their skills and experience, and facilitate their successful social integration into the Australian society.

Recommendation 9:

Providing pre-departure information and assistance helps to manage the expectations of both the refugees that are about to be resettled and the communities welcoming them across Australia. In this context, the role of the UNHCR, the International Organization for Migration (IOM), regional and local authorities in receiving countries and other relevant refugees and humanitarian organisations is very important in raising public awareness on resettlement programmes in order to improve pre-departure services.⁹

We recommend that the Australian Government should include tailored pre-departure arrangements, health assessments, cultural orientation and travel assistance for those refugees who are accepted for humanitarian resettlement in Australia.

⁹ Resettlement in the European Union, Position Paper, 19,06.2015.