

**AMNESTY  
INTERNATIONAL**



**DEFENDING HUMAN RIGHTS**

Submission to the Department of Home Affairs

**Discussion Paper**

**Australia's Humanitarian Program 2024-25**

3 June 2024

Submitted by

**Amnesty International Australia**

**Contact:** Ry Atkinson

**Email:** [ry.atkinson@amnesty.org.au](mailto:ry.atkinson@amnesty.org.au)

**Phone:** +61 423 270 124

## **Table of Contents**

|   |           |
|---|-----------|
| <b>Table of Contents</b>  | <b>2</b>  |
| <b>About Amnesty International</b>  | <b>3</b>  |
| <b>1. Summary</b>   | <b>4</b>  |
| <b>2. Recommendations</b>   | <b>6</b>  |
| <b>3. The International Context</b>   | <b>8</b>  |
| a) Regional Resettlement in Asia and the Pacific  |           |
| i) A Better Plan  |           |
| ii) Rohingya Refugees   |           |
| iii) Afghanistan  |           |
| <b>4. The Humanitarian Program</b>  | <b>14</b> |
| a) Size and Composition of the Program  |           |
| b) TPV & SHEV Transition to Permanent Visas   |           |
| c) Specific Populations of Concern  |           |
| d) The Special Humanitarian Program and the Principle of Non-Discrimination   |           |
| e) Alternative Pathways: the Community Sponsorship Program & the Community Refugee Integration and Settlement Pilot |           |
| <b>5. Conclusion</b>  | <b>24</b> |

## **About Amnesty International**

Amnesty International is a global movement of more than 10 million people who take injustice personally. We are campaigning for a world where human rights are enjoyed by all.

We investigate and expose the facts, whenever and wherever abuses happen. We lobby governments as well as other powerful groups such as companies, making sure they keep their promises and respect international law. By telling the powerful stories of the people we work with, we mobilise millions of supporters around the world to campaign for change and to stand in the defence of activists on the frontline. We support people to claim their rights through education and training.

Our work protects and empowers people – from abolishing the death penalty to advancing sexual and reproductive rights, and from combating discrimination to defending refugees' and migrants' rights.

We help to bring torturers to justice, change oppressive laws, and free people who have been jailed just for voicing their opinion. We speak out for anyone and everyone whose freedom or dignity are under threat.

We are impartial and independent of any government, political persuasion or religious belief and do not receive funding from governments or political parties.

Amnesty International is a proud People Powered movement founded on the work of volunteers and activists all around the country. More than 500,000 Amnesty International supporters live in Australia.

# 1. Summary

1.1 Amnesty International Australia (AIA) welcomes the opportunity to make a submission to the Department of Home Affairs on Australia's 2024-25 Humanitarian Program.

1.2 Over several decades, AIA has witnessed firsthand the situation facing refugees in refugee camps in Indonesia, Jordan and Thailand, as well as urban refugees in Kenya, Thailand, Indonesia, and Malaysia. In 2018 and 2019 AIA researchers were again able to document the ongoing crisis facing refugees in the Middle East, Africa and Europe, including in 2023 a visit to assess the situation facing Rohingya refugees in Cox's Bazar, Bangladesh.

1.3 AIA also works closely with NGOs in the region, both on individual cases as well as broader systemic issues. This is often in consultation with the Asia Pacific Refugee Network (APRRN), of which AIA has been a member of since the groups inception.

1.4 Postponements due to Covid-19 withstanding, AIA has had the privilege of attending both the UNHCR-NGO Consultations and the Annual Tripartite Consultations on Resettlement (ATCR), now the Consultation on Resettlement and Complementary Pathways (CRCP), in Geneva over the past 15 years. AIA also attended the 2023 Global Refugee Forum (GRF) in Geneva, making a number of specific pledges relating to refugee resettlement (see below).

1.5 Additionally, AIA maintains ongoing engagement with refugee diaspora communities in Australia and has highlighted cases of significant concern with the Department of Home Affairs (DHA) and UNHCR officials in both Canberra and Geneva. These experiences have provided valuable insights into the challenges facing both refugees in countries of asylum and the challenges facing UNHCR and resettlement countries such as Australia.

1.6 It is within this context, supported by findings stated in UNHCRs *Projected Global Resettlement Needs 2024*, that AIA understands the current refugee crisis to be the largest the world has faced since the Second World War. In 2024, UNHCR considers that more than 2,420,000 refugees will be in need of resettlement.<sup>1</sup>

1.7 Despite this, the previous Australian Government cut the Humanitarian Program to just 13,750 places annually (reduced from the 18,750 in 2019-20 program), while consistently referring to this figure as a 'ceiling' rather than a target or quota.<sup>2</sup> AIA has welcomed the change in language under the current government and the increase to the Humanitarian Program to 20,000.

1.8 However given current global need AIA is calling for an increase in the program to at least 30,000 places annually. With an additional 10,000 places, as committed to by the current government, for community sponsored and other complementary pathways. Again it is noted that the current government's commitment is to increasing the Program to 27,000 places.

1.9 With this noted, AIA's submission will focus on:

1. The International Context
2. Regional Resettlement in Asia and the Pacific

---

<sup>1</sup> UNHCR, '2024 Projected Global Resettlement Needs,' 2023, available at, <https://files.unhcr.org/en/2023/resettlement/projected-global-resettlement-needs-2024.pdf>

<sup>2</sup> AIA acknowledges that the reference to a ceiling was dropped from the last budget and welcomes this important development.

- a. A Better Plan
- b. Rohingya Refugees
- c. Afghanistan
- 3. The Humanitarian Program
  - a. Size of the Program
  - b. Specific Populations of Concern
  - c. The Special Humanitarian Program and the Principle of Non-Discrimination
  - d. Alternative Pathways: the Community Sponsorship Program & the Community Refugee Integration and Settlement Pilot

1.10 The recommendations contained in this submission go towards rebuilding Australia's reputation as a leading resettlement country and helping to address the worsening global refugee crisis.

## 2. Recommendations

AIA recommends that:

- 1) AIA's *A Better Plan* model be adopted in place of Australia's current regional deterrence policies to strengthen the regional response to growing resettlement needs, including lifting the moratorium on resettlement out of Indonesia;
- 2) that the Australian Government engage in regional diplomacy, including a more protection focused approach adopted by the Bali Process, to ensure those in need of protection are treated with dignity and respect in accordance with their human rights and are able to access resettlement where necessary;
- 3) the Humanitarian Program provides a targeted number of places for Rohingya refugees from Myanmar, taking a leading role in resettling Rohingya refugees out of Bangladesh;
- 4) the Australian Government reforms the Skilled Refugee Labour Agreement pilot program by recognising volunteer work, which the Rohingya are already completing, as sufficient to engage in these pathways and also ensuring that programs such as these are in addition to Australia's regular Humanitarian Program;
- 5) an additional 3,500 places be made available for Afghan refugees in addition to the places already set aside in the humanitarian intake, and existing applications, in particular those in Pakistan, be expedited and prioritised as a matter of urgency;
- 6) the Australian Government expand the 'immediate family' criteria for Palestinians seeking Australian visas to leave Gaza and offer consular assistance to these visa holders;
- 7) the Australian Government provides a pathway for Palestinians who have arrived in Australia since 7 October to apply for the 786 Safe Haven visa;
- 8) the Australian Government commits to increasing the Offshore Humanitarian Program to 30,000 places per annum as a matter of urgency, with the vast majority being visa sub-class 200 (UNHCR referred) refugees;
- 9) the Australian Government de-link the onshore component of the Humanitarian Program from the offshore component;
- 10) within the humanitarian intake, the Australian Government include unallocated quotas that can thereby be used in a flexible way for urgent and emergency cases;
- 11) the Australian Government establish a uniform process that would facilitate additional emergency intakes when crises like those we are seeing now occur;
- 12) the Australian Government address the ineligibility criteria of RoS holders who have transitioned from TPV or SHEV visas regarding access to the CSP and HSP, while developing a separate process which would allow this to occur;

- 13) the Australian Government gives a greater focus to the Africa region in relation to its resettlement Program;
- 14) the Australian Government continues to prioritise groups of concern through the Humanitarian Program, including women at risk, UAMs and LGBTQIA+ refugees;
- 15) the Australian Government prioritises UNHCR resettlement referrals and take a flexible and non-discriminatory approach to resettlement, ensuring resettlement is granted to those with the greatest protection need regardless of religion, country of origin, gender or other status;
- 16) the Australian Government further reform Australia's two private sponsorship programs, the CSP and CRISP, so that they are in addition to Australia's regular Humanitarian Program; and
- 17) the Australian Government eliminates any non-protection related criteria from the CSP, such as employment status, age, country of origin and English language proficiency.

### 3. The International Context

3.1 Refugees and people seeking asylum face particular vulnerabilities. These include but are not limited to border closures, a lack of access to countries of asylum, as well as difficulties in maintaining safety measures in overcrowded refugee camps and/or detention centres.

3.2 Yet as global conflicts escalate, there are record numbers of people on the move - more than 110 million.<sup>3</sup> This means that resettlement as a durable solution is now more important than ever.

3.3 As noted by UNHCR, world resettlement needs now exceed 2.4 million people, an increase of 20% from 2023. This reflects the growing number of refugees worldwide, which had its largest yearly increase on record (from 27.1 million in 2021 to 35.3 million at the end of 2022).<sup>4</sup>

3.5 To respond to this need UNHCR has stated it will continue to prioritise those who are most vulnerable, including where protection risks are greatest. It is crucial Australia's Program reflects the priority needs identified by UNHCR, ensuring the majority of those coming to Australia are referred by UNHCR through a non-discriminatory process.

3.6 Globally, UNHCR has noted that the Asia region has the highest estimated resettlement needs of any region in 2024 at nearly 730,000 refugees (30 percent of the global needs). This number reflects the significant needs of both Afghan refugees (nearly 497,000), hosted mainly in Iran and Pakistan, and refugees from Myanmar (240,993 persons), mostly in Bangladesh (129,000) and Thailand (91,000).<sup>5</sup>

3.7. While Syrian refugees remain the greatest population in need, AIA also welcomes UNHCR identifying the deteriorating situations in the Asia-Pacific region, with additional advocacy for refugees from Afghanistan and Myanmar.

3.8 As noted by UNHCR in 2022: *Submissions of refugees from Myanmar increased from 2,352 to 9,006, accounting for eight per cent of global submissions (compared to four per cent in 2021), and an astounding 558 per cent increase in submissions for Afghan refugees from 2021 to 2022 (from 2,212 submissions to 12,346 – accounting for 11 per cent of global submissions in 2022 for this population alone).*<sup>6</sup>

#### *Global Refugee Forum 2023*

3.9 AIA welcomes the significant commitments made by Australia at the 2023 Global Refugee Forum (GRF), with a total of 23 pledges, as well as reaffirming its commitment to the Global Compact on Refugees. A number of these significant pledges were identified in the DHA Discussion Paper "Australia's Humanitarian Program 2024-25", which have been strongly welcomed by AIA. Also, while not explicitly identified in the paper, AIA strongly supports Australia's commitment at the GRF to "enhancing support for durable solutions, including increasing Rohingya refugee resettlement."<sup>7</sup>

---

<sup>3</sup> UNHCR, 'Refugee Data Finder, Accessed 3 June 2024, available at, <https://www.unhcr.org/refugee-statistics/>.

<sup>4</sup> Above n.1, pg.12.

<sup>5</sup> Ibid, pg.15.

<sup>6</sup> Ibid, pg.8

<sup>7</sup> Refugee Council of Australia, 'Australian Government makes 23 pledges at 2023 Global Refugee Forum,' 6 February 2024, available at,



3.10 AIA also attended the GRF in Geneva in December 2023. Our pledge is to mobilise our movement to advocate to the Australian Government to increase Australia's annual humanitarian program to 40,000, which includes expanding the community sponsored places to 10,000 per year. In order to achieve this we believe it is important to demonstrate the broader strategic benefits an increased humanitarian program can provide, and we will advocate to embed Australia into the region's resettlement needs with an increased focus on Rohingya refugees (discussed in greater detail below).

## **Regional Resettlement in Asia and the Pacific**

### *A Better Plan*

3.11 In previous submissions, AIA has highlighted *A Better Plan* for the way Australia engages with the Asia-Pacific region and would welcome further engagement on the recommendations outlined in this document.<sup>8</sup>

3.12 As detailed in *A Better Plan*, AIA supports Australia's ongoing aid program to Indonesia, and recommends that greater coordination take place between the aid program and the funding provided to IOM, to support local integration as a durable solution.<sup>9</sup>

3.13 While Australia has already engaged in a number of important regional initiatives, what is needed is greater coordination of both existing and additional initiatives that combine aid, diplomatic efforts and humanitarian assistance in a more holistic approach.

3.14 Australia's aid program needs to be more closely linked to a strategy that improves the circumstances currently facing refugees in the region.

3.15 When people are legally recognised with rights to residence, have access to adequate housing, can access education, fair work and health services and live in safety and dignity, they will not be forced to make dangerous journeys to Australia.

3.16 Unfortunately, rather than a holistic policy that links aid to initiatives targeting displacement, it would appear that where aid allocations are provided to countries in the region there is very little focus on targeting displacement.

3.17 As noted by the Australian Human Rights Commission, with the exception of initiatives in Myanmar that target the root causes of displacement:

*“Australian aid programs for the Asia-Pacific region appear to lack a specific strategy for responding to the needs of forcibly displaced people, addressing the root causes of displacement and preventing further displacement.”<sup>10</sup>*

3.18 Australia's current policy framework ignores the fact that one of the key causes of people continuing to attempt to travel to Australia is the lack of safety for refugees and people seeking

---

<https://www.refugeecouncil.org.au/australian-government-pledges-at-the-2023-global-refugee-forum/#:~:text=The%20Australian%20Government's%2023%20pledges,international%20cooperation%2C%20peacebuilding%2C%20the%20needs>.

<sup>8</sup> Amnesty International Australia, 'A Better plan,' 2018, available at

<https://www.amnesty.org.au/wp-content/uploads/2018/05/Amnesty-A-Better-Plan-refugees.pdf>

<sup>9</sup> Ibid, pg. 21.

<sup>10</sup> Australian Human Rights Commission, 'Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea,' 2016, available at [http://www.humanrights.gov.au/sites/default/files/20160913\\_Pathways\\_to\\_Protection.pdf](http://www.humanrights.gov.au/sites/default/files/20160913_Pathways_to_Protection.pdf).

asylum in the Asia-Pacific region. As noted by the University of New South Wales Kaldor Centre for International Refugee Law:

*“Despite being the location of a large and enduring portion of the world’s displaced population, many countries in the Asia-Pacific region are not parties to the Refugee Convention or Protocol, and do not have the legal frameworks and/or technical and financial capacity to provide protection to refugees. Typically, these countries do not draw a distinction between refugees and illegal immigrants. Consequently, people seeking protection in these countries commonly find themselves in a ‘state of limbo’ – unable to work legally, unable to access education for their children, and liable to arrest and punishment for breach of immigration laws.”<sup>11</sup>*

3.19. These issues are further exacerbated when countries within the region deny refugees exit permits, despite them obtaining the necessary visas that would facilitate resettlement. This approach - rather than disincentivizing ‘unlawful’ entry - fails to acknowledge the reason people make these journey’s to begin with, and leaves them in an indefinite limbo, something that must be addressed by the Australian Government.

3.20 AIA also recommends that the Australian Government initiate and maintain a significant and predictable resettlement program out of Indonesia and that the ban on resettling those who arrived after July 2014 be lifted, including the lifting of all resettlement restrictions based on nationality, ethnicity or religion. AIA notes that UNHCR, for 2024, has identified 3,150 persons in need of resettlement from Indonesia. A number of these individuals will have family links to Australia and as such should be prioritised by the Australian Government.

3.21 This recommendation has previously been supported by calls from the UN High Commissioner for Refugees, Filippo Grandi, who stated at the ATCR that it was important for states wishing to improve outcomes for refugees in host countries to have significant resettlement quotas themselves so that host states feel that they are genuinely being supported through responsibility sharing. Grandi also stated that UNHCR was able to negotiate more effectively with states neighbouring Syria, for instance, when each of these states was seeing 20,000 or 25,000 refugees resettled each year, and that we collectively need to become better at leveraging packages of solutions which are strengthened with larger resettlement quotas.<sup>12</sup> This sentiment was repeated in Grandi’s most recent visit to Australia.<sup>13</sup>

**Recommendation 1:** AIA recommends that AIA’s *A Better Plan* model be adopted in place of Australia’s current deterrence policies, to strengthen the regional response to growing resettlement needs, including lifting the moratorium on resettlement out of Indonesia for those arriving post July 2014.

<sup>11</sup> UNSW Kaldor Centre for International Refugee Law, ‘Regional Cooperation,’ 2013, available at <https://www.kaldorcentre.unsw.edu.au/publication/regional-cooperation>.

<sup>12</sup> Refugee Council of Australia, ‘Report on Annual Tripartite Consultations on Resettlement,’ 2022, available at <https://www.refugeecouncil.org.au/wp-content/uploads/2022/08/ATCR-report-2022.pdf>

<sup>13</sup> The Guardian, ‘UN refugee chief condemns Australia’s offshore detention regime and slogans like ‘stop the boats,’ 2023, available at <https://www.theguardian.com/australia-news/2023/apr/22/slogans-like-stop-the-boats-do-nothing-to-tackle-the-asylum-seeker-challenge-un-refugee-chief-says>.

**Recommendation 2:** AIA recommends that the Australian Government engage in regional diplomacy, including a more protection focused approach adopted by the Bali Process,<sup>14</sup> to ensure all those in need of protection are identified and able to access resettlement if required.

### *Rohingya Refugees*

3.22 The situation for Myanmar's Rohingya minority has deteriorated dramatically since August 2017, when the military unleashed a brutal campaign of violence against the population living in the northern parts of Rakhine State, where the majority of Rohingya normally live. This campaign, launched in response to coordinated attacks on security posts by the armed group the Arakan Rohingya Salvation Army (ARSA), was unlawful and grossly disproportionate. Instead of attempting to bring the assailants to justice, it targeted the entire Rohingya population on the basis of their identity.

3.23 To date, nearly one million women, men and children have fled into neighbouring Bangladesh, where they have brought with them accounts of killings, torture, rape and burning of entire villages by the Myanmar security forces, often accompanied by local vigilantes. The UN has described the situation as a "textbook example of ethnic cleansing", while Amnesty International has concluded the military's actions amount to crimes against humanity.<sup>15</sup>

3.24 Ukhiya and Teknaf, the two areas or upazilas of Cox's Bazar, the south-eastern district of Bangladesh which shares a border with Myanmar, host the Rohingya in 34 refugee camps spread over about 27 square kilometres. While Bangladesh has not acceded to the 1951 Refugee Convention or its 1967 Protocol, the country has rightly been lauded by the international community for hosting the Rohingya. Yet while the role of the Bangladesh Government and people should not be underestimated, the reality remains that the situation of the Rohingya in Bangladesh is one that requires urgent attention.

3.25 The vast majority of Rohingya in Bangladesh are not formally recognised by Bangladesh as refugees, and are subjected to live in temporary shelters, unable to lawfully work, and have limited access to education. Their rights to freedom of movement, access to information and health are frequently violated. Dependent on aid, the Rohingya are subjected to harsh living conditions, and are extremely vulnerable to disease outbreaks such as diphtheria, acute watery diarrhoea, and most recently scabies. With reduced humanitarian services being provided, especially in the realms of water, hygiene, and sanitation, the camps are not a tenable option even in the short term. The risks of fire, violence, and natural disasters are also substantial. During 2023, the UN World Food Programme in Bangladesh was forced to slash monthly rations to Rohingyas from US\$12 to US\$10 and then to US\$8 (amounting to 27 cents a day) due to an acute funding shortfall, before reverting to US\$10.<sup>16</sup>

---

<sup>14</sup> The Bali Process on People Smuggling, 'Trafficking in Persons and Related Transnational Crime' available at <https://www.baliprocess.net>.

<sup>15</sup> Amnesty International, "We will destroy everything": Report of the detailed findings of the UN FFM, June 27 2018, pg. 177-314, available at, <https://www.amnesty.org/en/documents/asa16/8630/2018/en/>.

<sup>16</sup> UN News, 'UN in Bangladesh announces devastating new round of rations cuts for Rohingya refugees,' 2023, available at, <https://news.un.org/en/story/2023/06/1137252/>.

3.26 The prospect of relocation to a isolated “island” (Bazan Char)<sup>17</sup> and deteriorating living conditions in the camps have left some Rohingya demanding to be sent back to Myanmar without any protection measures in place back in their home country. These conditions also lead many Rohingya people to undertake dangerous journeys to other countries by land and sea, including Thailand, Malaysia and Indonesia. Those who embark on these dangerous boat journeys often put their lives at great risk leading to hundreds of people stranded and hundreds losing their lives at sea.

3.27 In 2023, more than 3,572 Rohingya set out from Bangladesh and Myanmar via sea, with children accounting for more than 30%.<sup>18</sup> 225 Rohingya people have lost their lives on these journeys with many more remaining unaccounted for.<sup>19</sup>

*In the fourth quarter of 2023 alone, over 2000 Rohingya have arrived in Indonesia by boat, and more are anticipated to arrive in the weeks to come. Over 70 per cent of recent arrivals are women and children in desperate need of shelter, nutrition and protection.*<sup>20</sup>

3.28 The preferred outcome for the vast majority of Rohingya in Bangladesh is to return to their homes in Myanmar, but this needs to be voluntary, safe, dignified and sustainable. Until such a time when this can occur, there is a desire and a need for some people who are at extreme risk in the camps to pursue options for resettlement. While Bangladesh suspended resettlement in 2010, advocacy on behalf of the US has opened up multi-year resettlement opportunities and since 2022 Bangladesh have restarted resettlement for a small cohort who are at extreme risk. But as the door has opened, it's vital that the international community steps up and provides solutions.

3.29 While countries such as the US have committed to a minimum of 8,000 places each year, Australia ran a 50-person resettlement pilot for Rohingya from Bangladesh during 2022-23. In contrast, countries such as New Zealand ran a 150-person pilot and Canada ran a 1,000-person pilot during its second year of operation. The previous Australian Government's commitment to earmark 2,000 places within the Humanitarian Program for people from Myanmar has been previously welcomed. It was also welcome to see the Australian Government make a more formal resettlement commitment to increase resettlement for the Rohingya at the Global Refugee Forum in December 2023, however, while Australia is currently Chair of the CRCP, it was hoped that a specific figure would have been placed on this commitment.

3.30 While AIA strongly encourages the Australian Government to establish a formal quota for the Rohingya, it's important the Australian Government also consider changes to Australia's Skilled Refugee Labour Agreement pilot program, which can be used by endorsed Australian employers to sponsor an approved skilled overseas worker on a permanent or temporary basis.<sup>21</sup> This can and must be expanded with the Rohingya in mind, including by ensuring that programs such as these are in addition to Australia's Humanitarian Program and by considering exceptions, such as

---

<sup>17</sup> Human Rights Watch, 'An Island in the Middle of the Sea,' 2021, available at,

<https://www.hrw.org/report/2021/06/07/island-jail-middle-sea/bangladeshs-relocation-rohingya-refugees-bhasan-char/>.

<sup>18</sup> Save the Children, 'More than 400 Rohingya children arrive by boat in Indonesia in past week as more refugees risk lives at sea,' available at, <https://www.savethechildren.org.au/media/media-releases/more-than-400-rohingya-children-arrive-by-boat-in>

<sup>19</sup> Ibid.

<sup>20</sup> <https://reliefweb.int/report/indonesia/rohingya-boat-arrival-response-aceh-indonesia-emergency-appeal-december-2023-june-2024>

<sup>21</sup> Department of Home Affairs, 'Skilled Migration Program,' accessed 18 January 2024, available at,

<https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes/skilled-refugee-labour-agreement-pilot-program>

Canada has done, to recognise volunteer work which the Rohingya are already completing as sufficient to engage in these pathways.

**Recommendation 3:** AIA recommends that the Australian Government establish a targeted quota for Rohingya refugees from Myanmar while taking a leading role in resettling Rohingya refugees out of the camps in Bangladesh.

**Recommendation 4:** AIA recommends that the Australian Government reform the Skilled Refugee Labour Agreement pilot program by recognising volunteer work, which the Rohingya are already completing, as sufficient to engage in these pathways and also ensuring that programs such as these are in addition to Australia's regular Humanitarian Program.

### *Afghanistan*

3.31 Nearly three years on from when the Taliban seized power in Afghanistan, a litany of human rights abuses and violations under international law have been committed by the Taliban, with absolute impunity and zero accountability. As always, it is the civilian population that has suffered.

3.32 Despite the announcement of a 'general amnesty' by the Taliban on 17 August 2021 for those who had worked with the US-led coalition and the previous government, hundreds of former security force personnel and government officials have been subjected to extrajudicial killings, often after public humiliation and torture. Many more have been disappeared.<sup>22</sup>

3.33 Within weeks of the Taliban taking power, reports began emerging of non-Pashtuns being forcibly evicted from their homes and farms, so that the victorious Taliban could reward their followers with land taken from other groups, particularly Hazaras, Turkmen and Uzbeks.<sup>23</sup>

3.34 UNHCR reported that as of the end of 2022, Iran and Pakistan alone were hosting more than 5.1 million Afghan refugees and Afghans in refugee-like situations.<sup>24</sup> Despite these stark figures, UNHCR acknowledges that the actual number of refugees is likely higher because not all refugees are able to register themselves with the agency.

3.35 AIA notes that within Australia's Humanitarian Program (and Family Reunion Program), 31,500 places over 4 years have been made available to refugees from Afghanistan, including 16,500 places in addition to the Humanitarian Program which was announced in the 2022-23 Federal Budget, a commitment that the current Australian Government has affirmed.<sup>25</sup>

---

<sup>22</sup> Amnesty International, 'The Rule of Taliban: A Year of Violence, Impunity and False Promises,' 2022, available at <https://www.amnesty.org.au/wp-content/uploads/2022/08/REPORT-The-Rule-of-Taliban-A-Year-of-Violence-Impunity-and-False-Promises.pdf>.

<sup>23</sup> UNHCR, 'External Update: Afghanistan Situation,' 2022, available at <https://reporting.unhcr.org/document/3944>.

<sup>24</sup> Above n.1, pg.81.

<sup>25</sup> Minister for Foreign Affairs, 'Anniversary of the fall of Kabul,' 2022 available at <https://www.foreignminister.gov.au/minister/penny-wong/statements/anniversary-fall-kabul>.

3.36 While AIA commends the tangible impact of these commitments, the complete total of these commitments were made under the previous government, with the current Australian Government still yet to make any additional commitments.

3.37 AIA has consistently called for an additional 20,000 places to be made available. To implement this, the Australian Government would need to provide an additional 3,500 places for Afghan refugees to be made available in addition to the regular Humanitarian Program.

3.38 This increased commitment would bring Australia more in line with comparable countries such as Canada, who have made 40,000 places available to people from Afghanistan, with the majority of these places in addition to Canada's regular resettlement quota. This is an approach supported by UNHCR who has stated that responses to the crisis in Afghanistan should be in addition to existing commitments.<sup>26</sup>

3.39 Moreover, it is vital that the over 200,000 applications made by Afghan nationals for protection and resettlement to Australia be expedited and prioritised as a matter of urgency. This matter is even more urgent as Pakistan has initiated a program of detentions, deportations and widespread harassment of Afghan refugees. Since late last year, thousands of Afghan refugees have been used as political pawns to be returned to Taliban-ruled Afghanistan where their life and physical integrity could be at risk amidst an intensified crackdown on human rights and an ongoing humanitarian catastrophe.<sup>27</sup>

**Recommendation 5:** AIA recommends that the Australian Government make an additional 3,500 places available for Afghan refugees in addition to the places already set aside in the humanitarian intake, and existing applications, in particular those in Pakistan, be expedited and prioritised as a matter of urgency.

## 4. The Humanitarian Program

### Size and Composition of the Program

4.1 In AIA's previous submissions, we have highlighted the need for Australia to increase its offshore Humanitarian Program. As noted above, the world is now facing unprecedented numbers of displaced people.

4.2 AIA recognises the important role Australia has played in resettling vulnerable refugees through the offshore component of the Humanitarian Program, but believes Australia has a responsibility to be doing much more.

4.3 While AIA recognises the sharp increase in the number of resettlement visas being granted in comparison to previous years, it's important to ground this recognition in relative terms. As highlighted previously, during 2020-21, Australia had one of its lowest intakes in 45 years, with only

---

<sup>26</sup>

<sup>27</sup> Amnesty International, 'Pakistan: Halt mass detentions and deportations of Afghan refugees,' 2023, available at, <https://www.amnesty.org/en/latest/news/2023/11/pakistan-halt-mass-detentions-and-deportations-of-afghan-refugees/>.

4,558 offshore visas granted. This is in stark contrast to countries like Canada, who have committed to a target of more than 50,000.

4.4 AIA appreciates that under current circumstances, there may be capacity constraints regarding settlement services, and a scaled approach may be required. However, AIA strongly believes these constraints will not be dealt with unless there is a clear indication regarding the future of the Humanitarian Program.

4.5 Thus, AIA believes that the Australian Government must commit to increasing the offshore Humanitarian Program to 30,000 places as a matter of urgency. With Complementary pathways additional to this quota.

4.6 AIA maintains that as a key resettlement country with a long history of successful resettlement, it is crucial Australia continues to play a leading role in the broader global response. Beyond growing the program, one central reform needed to achieve this is the delinking of the onshore component of the Humanitarian Program from the offshore component.

4.7 If a person is found to be in need of protection in Australia, Australia is obliged under international law to grant them protection. This should not be offset against the needs of vulnerable refugees who require resettlement from overseas. The linking of these two distinct protection methods, by the Howard Government, has had a considerable negative impact on Australia's ability to provide protection to both those it has an obligation to and those it has made a commitment to internationally.

4.8 Australia is unique among resettlement countries in linking these programs and it is for good reason others do not. Suffice to say the negative impacts of linking two quite distinct programs have been numerous and varied, including (but not limited to) creating arbitrary delays for those engaging Australia's obligations onshore, as well as undermining Australia's ability to maximise places for those offshore (further concerns will undoubtedly be picked up in submissions by other organisations). As such, AIA believes it should be a priority of the Australian Government to de-link the two programs.

4.9 While there is an obvious global humanitarian need to grow resettlement in Australia, it is also important to note that refugees bring a wide range of skills, experiences and qualifications, and with the right settings can make tangible, measurable contributions to Australian society.

4.10 A 2019 study by Deloitte Access Economics found that increasing Australia's annual humanitarian intake to 44,000 places per annum over a five year period, economic output could increase by \$37.7 billion in net present value terms over the next 50 years, and the economy could sustain an average of 35,000 additional jobs every year for the next 50 years.<sup>28</sup>

4.11 In addition to expanding the humanitarian intake, AIA also notes that UNHCR further appeals to resettlement States to designate a portion of their quota as unallocated so that it can be used in a flexible way for urgent and emergency cases across the globe and outside its five priority areas.<sup>29</sup>

4.12 While AIA supports such a measure, we also believe that the more recent crises in Myanmar, Ukraine, Afghanistan, Iran, and the current conflict in Gaza, as well as Australia's response to them calls for a more uniformed process in regards to the concept of additionality.

---

<sup>28</sup> Deloitte, 'Economic and Social Impact of Increasing Australia's Humanitarian Intake,' 2019, pg. 4, available at <https://www2.deloitte.com/content/dam/Deloitte/au/Documents/Economics/deloitte-au-economics-social-impact-increasing-australias-humanitarian-intake-280819.pdf>.

<sup>29</sup> Above, n1, pg. 21.

4.13 While AIA commends the previous and current government's initial approach to assisting people seeking safety from Ukraine, it must be noted that the same approach was not taken to refugees from Afghanistan, where there is a greater need for protection and resettlement, not to mention demand. It is important to note though, that the Afghans who have subsequently arrived in Australia through the Humanitarian Program have had access to settlement support and are on permanent visas. While those Ukrainians who initially arrived on tourist visas, remain in limbo on temporary visas.

4.14 However, despite the lessons learnt from Australia's response to the crisis in Afghanistan and Ukraine, sadly it would appear that those seeking to flee the current conflict in Gaza and reunite with family in Australia would appear to have the worst of both worlds.

4.15 Since the conflict in Gaza erupted in October 2023, the Australian Government's response has been criticised for being both slow and overly bureaucratic. To date, a record number of 4,600 tourist visa applications have been rejected, with the majority deemed not to be genuine visitors. This situation has highlighted significant flaws in Australia's visa processing system for individuals fleeing a humanitarian crisis.

4.16 Currently, individuals from Gaza wanting to come to Australia can only apply for a Visitor Class 600 visa. Each family member must submit a separate application, resulting in a cumbersome and costly process. For instance, a family of five must submit five separate applications and pay separate fees for each. If an application is rejected, there is no refund or appeal option, requiring a new application and visa fee to be submitted. This has led to families being separated, with reports of parents receiving visas while their children have not, or vice versa, making it untenable for those granted visas to leave. It is noted that elderly parents have been separated from their families as they were given visas but were not included on the list to be moved across the border along with other members of their family. In other cases elderly parents were not granted visas at all.

4.17 Furthermore, there have been instances where visa grant letters contained incorrect names, passport numbers, or blank information, adding to the anxiety and complications for individuals needing to transit through multiple airports to reach Australia. The likelihood of being stopped from boarding due to these errors is high.

4.18 Australia's recent reversal of the decision to cancel visas mid-air or at the time of boarding is a positive step, and it is hoped that this policy will not be reinstated. The current tourist visa definition allows for visits by close and distant family members, yet it is being processed more stringently, akin to a humanitarian visa. Presently, only applicants with close family ties (mother, father, children, and spouse) are being considered. Those already in Australia who have applied for other visas are still awaiting outcomes, creating uncertainty and distress.

4.19 In contrast, on May 27, 2024, Canadian Immigration Minister Marc Miller announced an increase in the temporary resident visa cap to 5,000, facilitating the exit of extended family members and prioritising family reunification and safety. Canada is also considering a less complex application stream for processing and refugee claims, setting a commendable example.



4.20 In Australia, individuals arriving from Gaza on tourist visas cannot access government assistance, relying solely on community support to survive. This means no access to education for children, healthcare, or accommodation, exacerbating their vulnerability.

4.21 While it is highly commendable that Australia is providing a pathway to safety for Palestinians, it is crucial that those arriving be provided with some level of support. Previously various levels of support were given to Ukrainians who were on tourist visas who were ultimately provided a pathway to the temporary 786 Safe Haven visa. This highlights that support can be provided and we'd ask the Australian Government to consider a similar approach to recently arrived Palestinians.

4.22 In highlighting the discrepancy in approaches to recent emergency situations, AIA does not wish to deter future governments from responding to crises, such as that in Ukraine, in a flexible way to ensure the most rapid visa options are available. In fact, quite the opposite. The aim however is to highlight the importance of non-discrimination in the application of these responses and corresponding programs.

4.23 To achieve this, AIA maintains that Australia must also establish a process that would facilitate additional emergency intakes when crises like those we are seeing now occur, built on the foundations of a non-discriminatory approach.

**Recommendation 6:** AIA recommends that the Australian Government expand the 'immediate family' criteria for Palestinians seeking Australian visas to leave Gaza and offer consular assistance to these visa holders to facilitate their border crossings.

**Recommendation 7:** AIA recommends that the Australian Government allow Palestinians who have arrived in Australia since 7 October to apply for the 786 Safe Haven visa.

## **TPV & SHEV Transition to Permanent Visas**

4.24 AIA is among many human rights and civil society organisations who have campaigned for the abolishment of Temporary Protection Visas since their inception, and have called for the end to an unnecessary, cruel, harmful policy which has undermined a cohesive Australian society.

4.25 In this regard, AIA expresses gratitude to the Australian Government for transitioning 19,000 refugees from temporary protection visas towards a pathway to permanency.

4.26 While AIA is relieved to see the happiness this brings after so many years for the more than 19,000 refugees for whom this announcement applies, we do note that despite Labor's policy platform stating that a Labor Government would commit to abolishing Temporary Protection Visas completely, the visa category remains. As we mentioned in our previous submission, we trust in good faith that a resolution to this matter will come swiftly.

4.27 A more pressing concern remains for the roughly 9,000 people seeking asylum who were rejected under the flawed fast-track process, for whom this recent announcement is bitterly disappointing. Thousands of people rejected under this process, who have been living and working

in Australia for more than a decade, now face further limbo and uncertainty, with many facing the very real prospect that they will be forcibly returned to the country from which they fled.

4.28 AIA is also concerned that those who have been granted a Resolution of Status Visa (RoS) will be ineligible to sponsor their families through the Community Support Program or the Special Humanitarian Program due to their classification as Unauthorised Maritime Arrivals.

4.29 To remedy this, AIA proposes the government consider adjusting any regulations that DHA may be interpreting as prohibiting RoS recipients from acting as sponsors. AIA has been informed that this might entail a clarification of Sub-regulation 202.211(2) (e) to ensure that RoS recipients do not continue to be classed as I/UMAs, that is a person mentioned in 2.07AM(5).

4.30 If such amendments are not made there will be a number of dire consequences including; once again exacerbating the mental health damage for those on RoS visas, caused by years of family separation while on TPVs and SHEVs; condemning thousands of women and children to indefinite limbo in hostile, often life threatening, environments; and undermining any possibility of successful settlement for RoS visa holders, who will need to continue to send money overseas to support family members indefinitely trapped there.

4.31 AIA does not believe that the stated intent of the Australian Labor Party platform to abolish TPVs and SHEVs was to continue to keep refugees permanently classified as second class citizens in this country. We would welcome any initiative to ensure, at a minimum, all permanent residents have equal access to bring their family members to safety.

4.32 AIA also supports the Refugee Council of Australia's (RCOA) recommendation to this process that the Australian Government should develop a separate process for refugees who have transitioned from a TPV or SHEV onto permanent visa who wish to sponsor their family members.

**Recommendation 8:** AIA recommends that the Australian Government commit to increasing the offshore Humanitarian Program to 30,000 places per annum as a matter of urgency, with the vast majority being visa sub-class 200 (UNHCR referred) refugees.

**Recommendation 9:** AIA recommends that the Australian Government de-link the onshore component of the Humanitarian Program from the offshore component.

**Recommendation 10:** AIA recommends that within the humanitarian intake, the Australian Government include unallocated quotas that can thereby be used in a flexible way for urgent and emergency cases.

**Recommendation 11:** AIA recommends that the Australian Government establish a uniform process that would facilitate additional emergency intakes when crises like those we are seeing now occur.

**Recommendation 12:** AIA recommends the Australian Government address the ineligibility criteria of RoS holders who have transitioned from TPV or SHEV visas regarding family reunification, while developing a separate process which would allow this to occur.

## Specific Populations of Concern

4.33 As per previous submissions, AIA believes the Humanitarian Program has the capacity to target a number of specific at-risk populations, in addition to its longstanding commitment to Women at Risk (a commitment that continues to be strongly supported by AIA).

4.34 AIA welcomes the focus on “vulnerable cohorts within refugee populations”<sup>30</sup>, (as identified in the DHA Discussion Paper for the 2024-25 Program) as one of the three areas of focus of Australia’s Program. What is not clear is how this focus relates to the other two key areas of focus (UNHCR referrals and applicants proposed by a close family member). AIA remains deeply concerned with the paradox that supposedly prioritises LGBTQI+ refugees while at the same time insisting that priority will only be given to those with close family links to Australia (particularly under the SHP channel). As the DHA and government are acutely aware, more often than not LGBTQI+ refugees are fleeing violence and threats from their family members so it is the LGBTQI+ community who they reach out to and look to sponsor them.

4.35 AIA is keen to understand how international NGOs, diaspora groups, LGBTQIA+ organisations etc, can highlight specific at-risk individuals in these vulnerable cohorts who do not fit within the other two priority groups. AIA would welcome further dialogue on where engagement can be targeted to ensure this “focus” is best maximised for those refugees in acute need.

4.36 Australia can enhance its refugee resettlement program by adopting strategies from Canada, which has effectively collaborated with local LGBTQIA+ organisations through a trusted partner referral process. Through the partner referral program local Canadian organisations, which specialise in helping LGBTQIA+ individuals escape persecution, can refer applications to Immigration, Refugees and Citizenship Canada (IRCC) for resettlement. This ensures that those at risk are provided a safe haven. By forming similar partnerships, Australia can create a streamlined and secure pathway for LGBTQIA+ refugees and others in urgent need.

4.37 Moreover, Canada’s adoption of country-specific crisis responses and tailored resettlement pathways allows for the targeted resettlement of individuals, specifically internally displaced persons (IDPs) from regions facing acute persecution. For instance, in Uganda, where the Anti-Homosexuality Law has severely impacted LGBTQIA+ communities, the Canadian Government has partnered with local organisations to refer a limited number of applications over a multi-year resettlement program. This confidential pathway demonstrates the efficacy of tailored responses to urgent humanitarian crises and provides a model that Australia can emulate to improve its resettlement efforts. Similar approaches have been applied to other countries for IDPs, refugees, and stateless people.

4.38 This government-organisation partnership model helps distribute the workload and reduces the reliance on government resources for verifying and vetting cases. In the Canadian example, organisations handle in-country vetting against Canadian immigration requirements, verification, and application compilation, allowing the IRCC to focus on processing applications, conducting

---

<sup>30</sup> Discussion Paper Australia’s Humanitarian Program 2024-25, DHA, p3

interviews, and issuing visas as needed. Some of these pathways operate independently of UNHCR referrals or registration requirements.

4.39 Similar government and trusted organisational referral partnerships are also evident in the United States for various resettlement programs, focusing on refugees and IDPs from a number of countries.

4.40 Additionally, Australia can learn from Canada's successful community sponsorship models, which involve local organisations like Rainbow Refugee, MOSAIC, and various church groups. These community sponsorship programs have been instrumental in providing holistic support to refugees, from initial resettlement to long-term integration. By engaging civil society and fostering partnerships with these organisations, Australia can create a more inclusive and supportive environment for LGBTQIA+ refugees. This approach ensures that refugees are not only safe but also have the opportunity to thrive in their new communities. Adopting such practices would enhance Australia's humanitarian efforts and demonstrate a commitment to protecting some of the most vulnerable populations globally.

4.41 AIA has strongly supported the previous DHA pilot's focus on unaccompanied minors, children and adolescents at risk, as well as those refugees targeted as members of the LGBTQIA+ community. Having engaged with the DHA specifically on a number of cases in these categories it is clear Australia not only has a proven track record with these vulnerable groups but has capacity to increase its commitment.

4.42 While AIA has highlighted the specific needs of Afghan and Rohingya refugees above, as stated in our previous submission, we continue to encourage Australia to increase its commitment to refugees from Africa. UNHCR continues to identify the Central Mediterranean Situation as one of its priorities, with over 474,000 refugees estimated in need of resettlement from 15 countries of asylum in Africa.<sup>31</sup> AIA welcomes the fact that 14 per cent of the program went to persons from Africa, for the 2022-23 program,<sup>32</sup> an increase from the 2021-22, which saw just 7% of offshore grants given to refugees from the Africa region.<sup>33</sup> The current crisis in Sudan will only increase the need for Australia to do more to resettle at risk refugees from Africa.

4.43 In ensuring Australia maintains a globally balanced program, AIA again welcomes Australia's commitment to take specific at-risk populations from the Americas. As noted by DHA the Americas were included as a priority region for Australia in 2018-19 and it is telling to see that for 2022-23 refugees from Venezuela are now in the top ten of populations resettled by Australia.<sup>34</sup>

4.44 AIA has also consistently welcomed the Australian Government's ongoing commitment to resettle Palestinian refugees, who are outside the UNRWA region. UNHCR has again highlighted a small number of Palestinian cases, for instance in Iraq and both Indonesia and Malaysia. AIA would again welcome a commitment from the Australian Government in regards to these groups.

---

<sup>31</sup> UNHCR Projected Global resettlement needs 2024, p13.

<sup>32</sup> <https://www.homeaffairs.gov.au/research-and-stats/files/australias-ohp-2022-23.pdf>

<sup>33</sup> Department of Home Affairs, '2021-22 Humanitarian Program Outcomes,' available at, <https://www.homeaffairs.gov.au/research-and-stats/files/australia-offshore-humanitarian-program-2021-22-glance.pdf>

<sup>34</sup> Above, n1.

**Recommendation 13:** AIA recommends the Australian Government gives a greater focus to the Africa region in relation to its resettlement Program.

**Recommendation 14:** AIA recommends that the Australian Government continues to prioritise groups of concern through the Humanitarian Program, including women, UAMs and LGBTQIA+ refugees.

## **The Special Humanitarian Program and the Principle of Non-Discrimination**

4.45 AIA has consistently maintained our support for the Special Humanitarian Program (SHP), both as a way for communities to reunite as well as for the flexibility it provides the Australian Government to resettle groups (and individuals) who are unable to access UNHCR but are still in need of protection.

4.46 However, AIA has raised concerns that the SHP has simply become a de-facto family reunion program that does not necessarily prioritise protection needs.

4.47 AIA has previously taken issue with the way the SHP has facilitated a move away from UNHCR prioritised referrals and the way it has distorted Australia's stated non-discriminatory approach to migration, as noted in AIA's submission to the Shergold Inquiry:

*"While AIA maintains strong support for the SHP, it is of primary concern that the placements given to SHP applicants are being prioritised (on the basis of family links and more recently at the expense of the UNHCR sub-class 200 visa) over a number of highly vulnerable UNHCR referred refugees, which in turn is altering the nature of Australia's offshore humanitarian intake. Furthermore, the SHP has been criticised for inadvertently allowing a preferential treatment for applicants of particular religions and ethnicities."*

4.48 As noted in our previous submissions greater clarity is needed as to the purpose of the SHP when compared to other Complementary Pathways. With the government committing to ultimately make 10,000 community sponsorship places additional to the Humanitarian Program it is important to clarify why someone would apply for an SHP place or for one of the other alternative pathways that are being developed. Again, as highlighted above, if the SHP is going to be limited to a very narrow definition of split family it is difficult to understand how Australia's commitment to "vulnerable cohort", particularly LGBTQI+ refugees, can actually be realised through one of the major components of the Humanitarian Program.

**Recommendation 15:** AIA recommends that the Australian Government prioritises UNHCR resettlement referrals and takes a flexible and non-discriminatory approach to resettlement, ensuring resettlement is granted to those with the greatest protection need regardless of religion, country of origin, gender or other status.

## **Alternative Pathways: the Community Sponsorship Program & the Community Refugee Integration and Settlement Pilot**

4.49 Amnesty International globally has been a strong supporter of community sponsorship and our colleagues in countries such as Ireland, Germany and Argentina have been at the forefront of civil society and government efforts to introduce these programs.

4.50 Through AIA's *My New Neighbour* campaign, and as a former member of CRSI (now CRSA), AIA has consistently called for a fair and accessible community sponsorship scheme to enable broader participation from families, groups, communities and businesses.<sup>35</sup>

4.51 AIA, as noted in our previous submission, also strongly supports the "Skilled Refugee Labour Agreement Pilot", having worked closely with Talent Beyond Boundaries in the initial development of their skilled pathway model. Australia's early engagement in the development of this pathway has been significant and the growing interest of business to engage (both here in Australia but also in other countries with similar pilots) demonstrates that this will be an important life saving protection pathway going forward.

4.52 As noted in our previous submission, a functional private sponsorship scheme would enable the wider Australian community to take a practical and meaningful role in helping with the settlement of humanitarian migrants and will deliver a wide range of benefits to newcomers as well as the Australian community more broadly. Our experience to date in Australia, combined with data from overseas programs, indicate that such approaches would:

1. support and fast-track the full social and economic participation of newcomers to Australia;
2. support the settlement of newcomers in a wider range of Australian communities, including regional communities;
3. support the development of English proficiency of refugee newcomers;
4. enrich the personal wellbeing and capacity of individual Australians, by providing a satisfying and meaningful way to connect with others in a purposeful shared endeavour;
5. enrich civic life and foster social cohesion in Australian communities;
6. expand the number of refugees who have the opportunity to rebuild their lives in safety and in doing so make a contribution to the Australian community; and
7. ensure that the Australian public is aware of and remains supportive of Australia's successful and long-standing humanitarian migration program.

4.53 Thus, AIA welcomed changes announced to Australia's Community Sponsorship Program (CSP) towards the end of 2021 that dramatically reduced the cost and bureaucratic burden for those wanting to sponsor refugees and welcome them into their communities.

4.54 Beyond this, Australia now has two other potential mechanisms for a citizen or permanent resident to sponsor a refugee (or individual in need of protection); the above-mentioned SHP; and the 'unnamed' Community Refugee Integration and Settlement Pilot (CRISP).

4.55 As highlighted above, it is again necessary for Australia to clearly articulate the importance and purpose of the Humanitarian Program more broadly, while also specifically clarifying the

---

<sup>35</sup> Amnesty International, 'Review of Australia's Community Sponsorship Program,' 2020, available at [https://www.amnesty.org.au/wp-content/uploads/2020/11/Amnesty-submission\\_Community-Support-Program-review\\_Oct-2020.pdf](https://www.amnesty.org.au/wp-content/uploads/2020/11/Amnesty-submission_Community-Support-Program-review_Oct-2020.pdf).

purpose and rationale for each of these sponsorship programs. This includes clarifying how and why they differ, as well as why someone should engage in one or the other.

4.56 However, and in line with previous recommendations in this submission concerning non-discrimination, the Australian Government must eliminate any non-protection related criteria such as employment status, age, country of origin and English language proficiency from the CSP.

4.57 As the 'named' sponsorship program, like the SHP, it also runs the risk of again becoming a de-facto family reunion program, although with additional costs and without the support provided to those coming under the SHP. Consideration needs to be given as to how this scheme can include broader members of civil society (as per the Canadian system) to lessen the burden (including financial) on refugee sponsors and ensure the broader benefits to the Australian community.

4.58 In this context, AIA strongly welcomed the introduction of the 'unnamed' CRISP by the Australian Government in 2022. The CRISP has the benefit of ensuring that refugees sponsored are those in the greatest need of resettlement (as identified by UNHCR) as well as enabling the broader community to play a leading role in sponsoring and supporting newly arrived refugees.

4.59 However, AIA remains concerned that places under both the CSP and CRISP are still being included in Australia's humanitarian intake. This lack of 'additionality' inhibits many members of the Australian community from engaging with these programs and could inhibit the growth in these programs in the future.

4.60 AIA strongly welcomes the continuation of both the CRISP and Skilled Refugee Labour Agreement Pilots.

4.61 AIA further commends the Australian Government's commitment, as highlighted in the DHA Discussion Paper, to gradually increase community sponsored and other complementary places to 10,000 per year.<sup>36</sup>

**Recommendation 16:** AIA recommends that the Australian Government further reform Australia's Community Sponsorship Program so that it is in addition to Australia's regular Humanitarian Program.

**Recommendation 17:** AIA recommends that the Australian Government eliminates any non-protection related criteria from the CSP, such as employment status, age, country of origin and English language proficiency.

---

<sup>36</sup> DHA Discussion Paper Australia's Humanitarian Program 2024-25, p8.

## **5. Conclusion**

As the situation within our region - particularly in Myanmar and Afghanistan - worsens, the Australian Government must not only urgently increase the Humanitarian Program to a combined 40,000 places (including 10,000 sponsorship places), but where appropriate ensure there is additionality for specific crises, with a process to respond which is underpinned by the principle of non-discrimination. AIA welcomes the government's commitment to grow the program to 27,000 and make community sponsorship additional, however we believe Australia can be even more ambitious, both with regards to numbers and also by taking a leadership role in addressing the refugee crisis in our region.

Further, while recent changes to Australia's approach to community sponsorship are welcomed, to ensure its continued success, further reform is needed to provide clarity and build trust and engagement with Australian communities. When Australians put their hands up, they don't expect the Australian Government to be putting theirs down. Thus, while the scope of the CSP and CRISP must be increased, it must also be in addition to Australia's regular program to ensure the Australian Government is not merely passing the buck on its responsibilities.

In doing this, the Australian Government can rebuild Australia's reputation as a leading resettlement country and help address the worsening global refugee crisis.