

BACK POCKET BRIEF

**Home Affairs Portfolio
Department of Home Affairs
Budget Estimates Hearing – May 2023**

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Topic: Offshore Humanitarian Program

Group: Immigration Group

Division: Refugee Humanitarian and Settlement Division

- Australia's Humanitarian Program (the Program) intake has been drawn from a range of nationalities, ethnic and religious groups, reflecting global displacement arising from conflict and persecution.
- The 2022-23 Program is set at 17,875 places.
 - 1,500 places have nominally been allocated to the Onshore Protection component;
 - 12,250 places are allocated for the Offshore component (including 1,400 places for the Community Support Program (CSP) and 325 resettlement places for the Community Refugee Integration and Settlement Pilot (CRISP));
 - Including an additional 4,125 places for Afghan nationals (commitment of 16,500 places over four years from 2022-23).
- The Department remains on track to deliver the full 2022-23 Program. As at 31 March 2023, 12,055 visas have been granted.

Emergency responses

- The cumulative impact from COVID-19 and the events in Afghanistan and Myanmar has resulted in unprecedented demand for the Program.
- The Humanitarian Program operates flexibly to respond effectively to evolving humanitarian emergencies and global resettlement needs.
- Consistent with the approach adopted by the United Nations High Commissioner for Refugees (UNHCR), Australia will prioritise those cohorts who have the greatest resettlement need. This will focus on:
 - people outside their home country, assessed as refugees by the UNHCR and referred to Australia for resettlement;
 - applicants proposed by a close family member in Australia; and
 - vulnerable cohorts within refugee populations, including women and children, ethnic minorities, LGBTQI+ and other identified minority groups.

- Any persons, who believe they meet the requirements for a Humanitarian visa and wishes to seek Australia's assistance can make an application.
 - each case is assessed on its individual merits, with the safety in particular countries being a factor of consideration.
 - All Humanitarian visa grants are subject to mandatory visa requirements including health, character and security checks.
- Australia is committed to its international obligations set out in the 1951 *Convention Relating to the Status of Refugees* and its 1967 Protocol and other international human rights conventions to which it is a party.
- Australia does not return individuals to situations where they face persecution or a real risk of torture, cruel, inhuman or degrading treatment or punishment, arbitrary deprivation of life or the application of the death penalty.

Sudan

- The Department of Home Affairs is continuing to receive and progress visa applications for those impacted by the conflict in Sudan.
 - The focus to date has been on facilitating travel for those Australian citizens and permanent residents that need to leave urgently due to the crisis.
 - The Department of Home Affairs continues to process complete applications for temporary, skilled and family visas as a priority.
- In accordance with policy settings, Humanitarian visa applications from Sudanese nationals living in-country generally do not meet the regional and global priorities for the program; however, Sudanese nationals who have fled Sudan may be eligible.
 - The Department and key resettlement partners are unable to operate in Sudan due to the dangerous security situation.
 - Displaced people (non-Sudanese nationals) currently located in Sudan are able to make an application for a Humanitarian visa.
 - Applications lodged under the Special Humanitarian Program will be prioritised on a case by case basis and processed as quickly as possible.
- Sudanese nationals in Australia who wish to seek Australia's protection, and are found to engage Australia's non-refoulement (non-return) obligations, may be granted permanent protection, provided they are also able to fulfil the relevant visa criteria, which includes the health, character and security requirements that apply to all Australian visas.
- Australia continues to closely monitor the situation in Sudan with the view to review our humanitarian policy and program settings if needed.
- Questions relating to the evacuation of Australian citizens from Sudan should be directed to DFAT.

Afghanistan

- In recognition of the humanitarian crisis in Afghanistan an additional 16,500 places for Afghan nationals will be delivered over four years (4,125 places each year between 2022-23 – 2025-26) in addition to the annual Program intake.
- As at 31 March 2023, there were around 160,000 Afghan citizens with an application for an offshore Humanitarian visa onhand.
 - Approximately 75 per cent (120,000) of the on hand number are Afghans living in Afghanistan.
 - The Department will progress in-country applications that meet program priorities (for instance LEE and split family) and will grant visas once all criteria has been met.
 - Applications that do not meet Program priorities will be refused.
- At this time the Department has enough applications for Afghans residing outside of Afghanistan to fulfil the Afghan allocation for the next 4-5 years, notwithstanding that more applications are being lodged every day.
 - The Department anticipates that the majority of Priority 1 (split-family) and Priority 2 (close family) Special Humanitarian Program (SHP – where applicants have a proposer in Australia) applications from Afghans outside Afghanistan will be able to be progressed, while most other applications including in-country and extended family, are expected to be refused.
- From 1 July 2022 to 31 March 2023, the Department has refused over 10,000 Afghan Class XB visas for applicants that do not meet Program priorities, including for persons not referred by UNHCR, residing in-country and those proposed by extended family members and friends.
 - The Department endeavours to ensure that people that meet program priorities (outside home country, referred by UNHCR, proposed by close family, women and LGBTI+) are referred to posts as soon as capacity allows.
- Australia’s humanitarian resettlement program for Afghans is concentrated in the neighbouring countries of Pakistan and Iran. Australia also considers UNHCR-referred Afghan applicants in Turkey, India, Thailand, Indonesia and Malaysia.
- Australia’s Humanitarian Program has always prioritised applications from those outside their home country. This is consistent with the UNHCR’s approach that resettlement is not the only durable solution for refugee and displaced populations.
- Australia has limited capacity for humanitarian resettlement and cannot resettle all who apply for a Refugee and Humanitarian visa. There are a very large number of applicants who are subject to persecution or substantial discrimination, many with close family in Australia.

If asked: are subclass 449 visas continuing to be used to support Afghans?

- The Humanitarian Stay (Temporary) (subclass 449) visa was used to facilitate the safe evacuation of Afghan Locally Engaged Employees (LEE) and other priority Afghan nationals to Australia between August 2021 and October 2022.
 - Additionally, in December 2022 by invitation of the Minister, the Department granted Subclass 449 visas to a total of 121 Afghan nationals in particularly compelling circumstances. Some of these applicants were in Afghanistan.
 - Application for a subclass 449 visa is by acceptance of an offer of a subclass 449 visa made by the Minister for Immigration and Citizenship. Applicants can be in or outside Australia and must meet health, character, security and weapons of mass destruction criteria.
- We will continue to closely monitor the situation in Afghanistan, and remain conscious of the particular needs of vulnerable cohorts.
 - The Government urges all people remaining in Afghanistan to prioritise their safety. People remaining in Afghanistan must carefully consider the risks should they attempt to leave by any route.

Number of 449 visas granted to Afghan nationals from August 2021 to 05 May 2023 by grant month

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
2021	-	-	-	-	-	-	-	3,961	690	246	828	365	6,090
2022	145	230	78	59	214	157	190	51	6	8	<5	121	1,264 (approx)
2023	<5	37	-	-	-	-	-	-	-	-	-	-	42 (approx)

*Includes applicants:

- who have a finalised or active application being processed for a Non-Humanitarian visa,
- who have a finalised or active application being processed for a Class XB visa,
- that may have continued traveling onto other countries (e.g. New Zealanders),
- whose subclass 449 visa expired prior to travel.

Myanmar

- In recognition of the grave humanitarian and security situation in Myanmar, the Australian Government has designated Myanmar nationals in Australia as a priority caseload in our onshore humanitarian visa program.
- Departmental officers continue to work closely with the UNHCR in Bangkok, as well as other governments, to coordinate response efforts to the crisis in Myanmar.
- Australia has not regularly resettled Rohingya since 2014 due to Operation Sovereign Borders (OBS) related risks.
- A small provision for Rohingya resettlement is included in the Asia-region allocation in the 2022-2023 Humanitarian Program. The regional allocation approach in the offshore

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Program gives greater flexibility to respond to emerging and ongoing global humanitarian needs.

- Any resettlement of Rohingya will be undertaken as part of internationally coordinated resettlement efforts.
- Over the years, a small number of Rohingya people with close family links have been resettled in Australia through the Special Humanitarian Program (SHP) as well as very small numbers of individual refugees referred by UNHCR.

Iran

- There are no specific visa programs or pathways for Iranian nationals, however they are able to pursue a range of migration pathways to Australia, including Family and Skilled migration program visa options.
- Iranian nationals have consistently been in the top ten offshore resettlement caseloads over the last five program years.
- The Government is working closely with the UNHCR, the community, and stakeholders to deliver Australia's Humanitarian Program intake.
 - Any person, including Iranian nationals, who believe they meet the requirements for a humanitarian visa and wishes to seek Australia's assistance can make an application.

Uyghur

- The Government is working closely with the UNHCR, the community, and stakeholders to deliver Australia's Humanitarian Program intake.
 - Any persons, including Uyghurs, who believe they meet the requirements for a humanitarian visa and wishes to seek Australia's assistance can make an application.

Exit permits

- Offshore Humanitarian visa applicants may be subject to exit permission requirements by the country they are residing in.
- This may impact an individual's ability to travel to Australia regardless of whether they are granted a humanitarian visa.
 - The requirements for an exit permit are different in each country and may change at any time.
- We continue to engage with host countries, international stakeholders, including with the UNHCR, about exit permits.

India

- We are continuing to work with the Government of India to resolve the exit permit issue to enable departures of affected Australian visa holders from India.

Country	Exit Requirement
Egypt	Egyptian authorities do not recognise Immicards as a valid travel document and Home Affairs relies on the International Red Cross to provide travel documents within Egypt. Without these, visa holders are unable to depart.
Ethiopia	Historically, Ethiopian authorities would not issue exit permits, however this issue has been resolved and permits can now be obtained within a month.
India	Asylum seekers must arrive in country by lawful means. There are a number of refugees residing in India who have successfully obtained an Australian visa, but are unable to depart as they entered the country illegally.
Iran	Afghan nationals must be residing lawfully.
Kenya	Approval times can be lengthy and can delay departure for Humanitarian visa holders.
Malaysia	Myanmarese and Afghan nationals must be registered with UNHCR.
Sudan	The current security situation has impacted departures.
Thailand	Myanmarese nationals must be registered with UNHCR.
Turkiye	Afghan, Iraqi and Syrian nationals must be residing lawfully and registered with Turkiye authorities.

Community Sponsorship

Reforms

- The Government is considering how to further harness the considerable expertise and goodwill in the community to support refugee and humanitarian entrants.
- The Community Support Program (CSP) is designed to provide a sustainable model for private sponsorship of refugees that complements the existing Refugee and Special Humanitarian Program categories.
 - It enables communities and businesses, as well as families and individuals, to propose humanitarian visa applicants with employment prospects and to support new humanitarian arrivals.
 - It was designed to harness community support for refugees and increase the chances of strong integration and settlement outcomes.
- A review into the CSP (the Review) was undertaken in 2020-21 by the Commonwealth Coordinator-General for Migrant Services, which included a series of consultations with a range of stakeholders, including CSP participants, refugee-led groups, NGOs, faith groups and industry peak bodies.
 - The Review found that community support models can improve economic, social and language learning outcomes for refugees, particularly through building social capital.

- The findings of the Review were released on 4 August 2021 and are available on the Department's website.
- Stemming from the Review, changes to the CSP commenced on 19 August 2022, which aim to make the program more accessible. These include:
 - reducing the visa application charge (VAC) for primary applicants by approximately 60 per cent (from \$19,449 to \$7,760); and
 - removing the VAC for secondary applicants.
- While no nationality is excluded from consideration under the CSP, priority in the CSP, like the broader Humanitarian Program, is given to applicants who fall within the Government's global, regional and settlement priorities.
- Also in response to the Review, the Community Refugee Integration and Settlement Pilot (CRISP) was established, which aims to settle up to 1,500 refugees up until 30 June 2025. The first refugee families participating in CRISP arrived in Australia in August 2022. As at 31 March 2023, a total of 107 refugees (25 family groups), primarily from Afghanistan and Syria have settled in new and traditional settlement locations.
- CRISP operates as a dedicated settlement pathway for refugees who do not have family links in Australia and are UNHCR referred.
- Visa holders arriving through CRISP have access to the same government services as other refugees, however settlement support is provided by trained volunteers for 12 months from the date of their arrival.

International Engagement

- Australia will continue to contribute to responsibility sharing, growing meaningful refugee participation, and looking beyond traditional responses to champion complementary pathways, including community sponsorship models, labour mobility and family reunion opportunities, including through:
 - Taking on the 2024 Chair of the Annual Tripartite Consultations on Resettlement (ATCR), the most important multilateral forum for UNHCR, States, private sector, academia, NGOs and refugees to discuss and advance global resettlement issues ;
 - 2023 Global Refugee Forum (GRF) in Geneva on 13-15 December 2023; and
 - As a founding member and incoming Chair (from April 2024) of the Global Task Force on Refugee Labour Mobility (GTF).
- Work has commenced to develop options for impactful and credible new pledges at the 2023 GRF, in addition to actively shaping refugee labour mobility pledges by the GTF.

If asked: Special envoy for refugee and asylum seeker issues

- The Government is considering options for the establishment of this role.

If asked: Why has the Government cut \$65 million for refugee, humanitarian settlement and migrant services?

- The Government did not make a decision to cut the refugee, humanitarian settlement and migrant services program by \$65 million in the 2023-24 Budget.
- Funding for Program 2.3 – Refugee, Humanitarian Settlement and Migrant Services in the Home Affairs Portfolio Budget Statement, is based on current baseline funding, previous measures and estimates variations.
- Budgeted expenses for Program 2.3 in the 2023-24 Budget are higher than forecast in the 2022-23 October Budget.
 - According to the Portfolio Budget Statements, for the 2023-24 financial year:
 - the 2022-23 budget forecast was \$712,494; and
 - the 2023-24 budget forecast was \$735,017.
- The impacts of COVID-19 reduced the number of refugee movements in 2021-22.
 - This resulted in a transfer of associated funding from 2021-22 into 2022-23 to cater for the additional refugees expected in 2022-23 with the re-opening of the borders.
- As we progress to a post-COVID environment, the funding has returned to a more normalised level.
- In addition, a one off increase in funding to cater for additional demand in the Adult Migrant English Program was received in 2022-23, this will be reassessed in 2023-24 as per usual budget processes.
 - The additional funding (\$20m over four years from 2022-23) is to support individual learners with flexible delivery and case management.

Key Statistics

Table 1: Average processing times* (in weeks) of granted Offshore Humanitarian cases, 2017–18 to 2022–23 (as at 05 May 2023)

Subclass	2017–18	2018–19	2019–20	2020–21	2021–22	2022–23
Refugee (subclass 200)	65.4	56.6	55.4	76.0	76.4	96.6
In-country Special Humanitarian (subclass 201)	36.3	53.2	44.1	58.0	10.7	22.9
Global Special Humanitarian (subclass 202)	86.2	79.7	69.5	103.4	130.6	125.7
Emergency Rescue (subclass 203)	2.0	2.0	5.4	5.6	25.1	20.6
Woman At Risk (subclass 204)	51.7	64.6	45.5	73.5	86.7	93.3
Total	72.7	68.0	59.7	87.8	74.1	88.1

*Visa grants are subject to rigorous assessment, including health, character and security checks, which are conducted before individuals are granted a visa. Consequently, processing times and the Department’s ability to process applications for Humanitarian visas can vary according to the particular circumstances of the applicant, their location (be it inside or outside their home country), their ability to travel, provide documents, biometrics, medical checks, and access to Australian government officials.

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Table 2: Global Special Humanitarian (subclass 202 visa) lodgements and grants by processing priority*, 2019–20 to 2022–23 (to 05 May 2023)

Priority	2019–20		2020–21		2021–22		2022–23 (to 05 May 2023)	
	Lodgement	Grant	Lodgement	Grant	Lodgement	Grant	Lodgement	Grant
1	98	64	67	13	20	35	33	80
2	15,575	3,062	10,512	1,451	23,874	2,746	6,989	2,338
3	8,576	1,298	3,759	639	13,836	1,157	6,791	997
4	550	849	7,687	542	12,546	812	8,210	1460
5	68	<5	17	7	283	8	679	0
Refugee code/Not Yet Recorded	-	-	-	-	6,678	-	5,416	<5

* Priority groups within the SHP are:

Priority 1: Applicant is proposed by an immediate family member (partner, dependent child or, if the proposer is not 18 or more years of age, the proposer's parent) who was granted a Class XB visa.

Priority 2: Applicant is proposed by a close family member (partner, child, parent or sibling who does not meet the split-family eligibility criteria) who does not hold a Protection or Resolution of Status visa.

Priority 3: Applicant is proposed by an extended family member (grandparent, grandchild, cousin, aunt, uncle, niece or nephew) who does not hold a Protection or Resolution of Status visa.

Priority 4: Applicant is proposed by a friend or distant relative and does not hold a Protection or Resolution of Status visa, or is a community organisation.

Priority 5: Applicant is proposed by a person holding a Protection or Resolution of Status visa. Note if these proposers become Australian citizens, then applications they propose become priority 1-4 according to their relationship.

Note; former UMA's, even those holding a Permanent visa (including a RoS) or those who become Australian citizens, are unable to propose under the SHP.

Table 3: Offshore Humanitarian visa grants under the Community Proposal Pilot (CPP) or the Community Support Program (CSP), 2019–20 to 2022–23 (to 05 May 2023)

Program Year	Allocation	CPP	CSP
2019–20	750	<5	417
2020–21	750	0	207
2021–22	750	0	423
2022–23 (to 05 May 2023)	1,400	0	1,073

Table 4: Top nationalities granted within the offshore component 2016–17 to 2021–22

2016–17		2017–18		2018–19		2019–20		2020–21		2021–22	
Iraq	7,478	Iraq	4,630	Iraq	7,095	Iraq	5,785	Iraq	1,585	Afghanistan	5,326
Syria	6,261	Syria	3,227	Congo (DRC)	2,114	Congo (DRC)	1,165	Myanmar	656	Iraq	2,111
Afghanistan	1,958	Myanmar	2,043	Myanmar	1,995	Syria	947	Afghanistan	562	Myanmar	1,645
Myanmar	1,747	Congo (DRC)	1,355	Syria	1,836	Myanmar	796	Syria	450	Syria	1,268
Bhutan	555	Afghanistan	1,130	Afghanistan	1,323	Afghanistan	619	Eritrea	241	Congo (DRC)	455
Congo (DRC)	336	Eritrea	494	Ethiopia	635	Eritrea	434	Pakistan	213	Pakistan	134
Eritrea	323	Ethiopia	481	Eritrea	555	Ethiopia	360	Iran	188	Eritrea	99
Ethiopia	323	Bhutan	308	Iran	367	Central African Republic	333	Congo (DRC)	154	Ethiopia	94
South Sudan	316	Iran	218	Bhutan	254	Iran	317	Stateless	144	Central African Republic	84
Somalia	162	Tibet	200	Tibet	189	Stateless	204	Venezuela	104	Iran	70

Consultation

- The Chief Statistician has cleared the statistics contained within this brief.

Additional References

- Nil

Media

- Nil

Attachments

- ATT A – Humanitarian Dashboard as at 30 April 2023
- ATT B – Offshore Humanitarian Afghan Key Statistics as at 12 May 2023
- ATT C – Summary of HSP, CRISP and CSP Programs
- ATT D – PBS Budgeted Expenses for Outcome 2 (2022-23 and 2023-24)

Additional Information

Statistics Date Ranges – 2023 May Budget Estimates	
Since last hearing	1 January 2023 – 05 May 2023
Financial Year	1 July 2022 – 05 May 2023