



Australian Government
Department of Immigration and Border Protection

Submission

For decision

ExecCorro Reg.Number SM2013/03133

To Minister for Immigration and Border Protection

Subject Management of the offshore component of the 2013-14 Humanitarian Programme

RECEIVED

24 SEP 2013

BY THE MINISTER
FOR IMMIGRATION,
MULTICULTURAL AFFAIRS
AND CITIZENSHIP

Timing Please action by 27 September 2013 to inform announcements at the forthcoming UNHCR Executive Committee (ExCom) meeting in Geneva (refer to recommendation 8)

Recommendations

That you:

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4. agree that the offshore component include up to 500 places for the Community Proposal Pilot (CPP); ☒ agreed / ☐ not agreed / please discuss
5. agree that within the 9500 to 10 000 refugee category places, that 800 places are available for at-risk Afghan Locally Engaged Employees (LEE) and their families; ☒ agreed / ☐ not agreed / please discuss

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8. agree that within the proposed refugee caseloads, up to 500 refugee places be reserved for Syrian refugees referred by the United Nations High Commissioner for Refugees (UNHCR), and that Australia announce this commitment at the forthcoming annual UNHCR Executive Committee meeting in Geneva; agreed / not agreed / please discuss

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10. agree that further consideration of issues affecting the SHP be undertaken in the context of your submission to Government on the 2014–15 Humanitarian Program in the Budget context; and agreed / not agreed / please discuss
11. note that the Department will brief you further on delivery of the 2013–14 Humanitarian Programme and options for adjustments following a mid-year review of the Programme in late December 2013/early January 2014. noted / please discuss

Minister for Immigration and Border Protection

Signature.....



Date: 28/9/2013

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Minister's Comments

- Refugee intake 6,000 - 6,500
- STP programme 4,500 - 5,000.
- Malaya intake to be maintained at current level with focus on Myanmar.
- Offshore component a minimum of 11,000.
- Africa to be 6, with focus on STP for the additional comments noted on brief. Chart

Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

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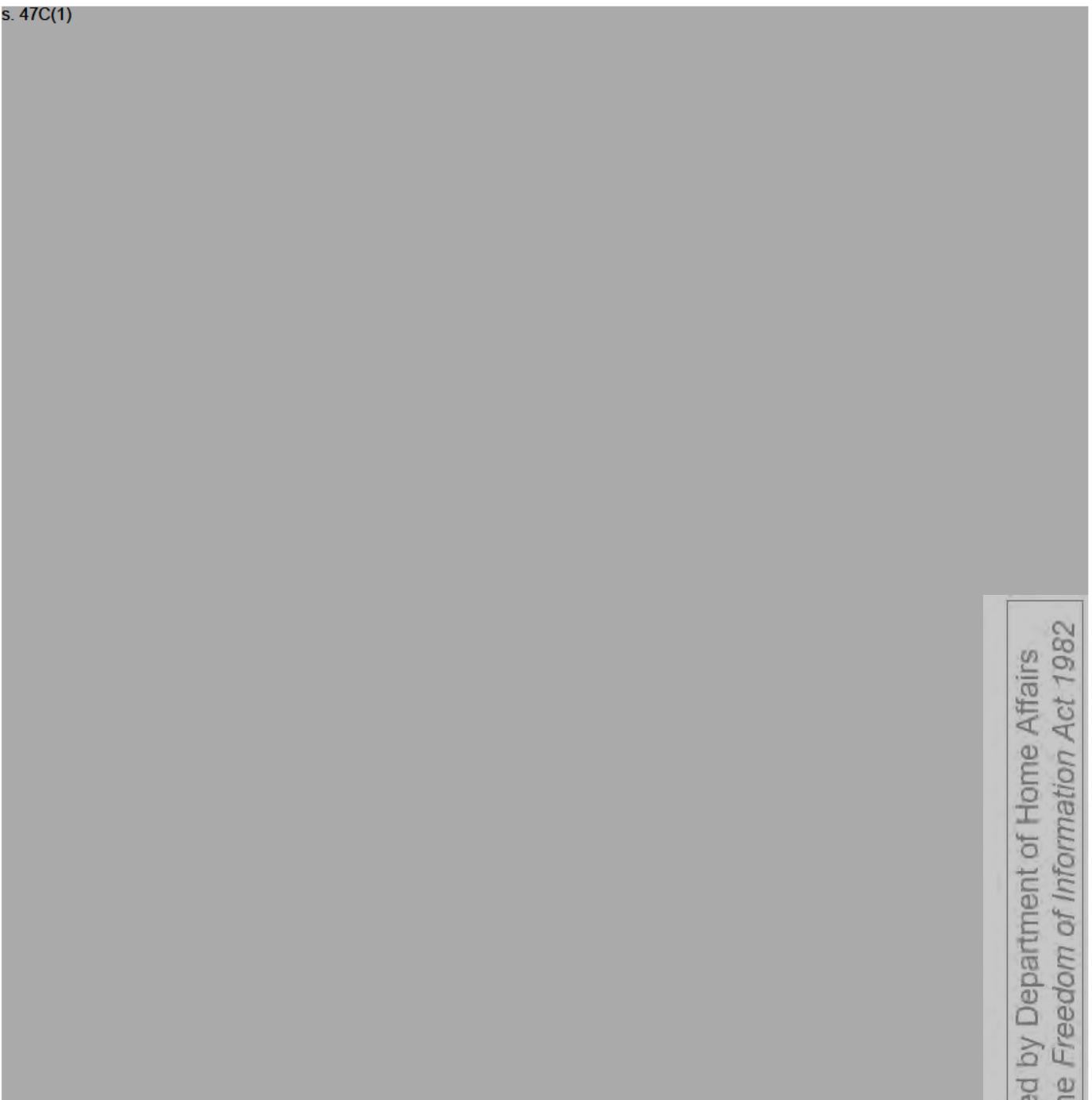
4. There are two specific commitments within the 2013–14 Humanitarian Programme about which we seek your agreement. These are:

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Planning Levels for 2013–14

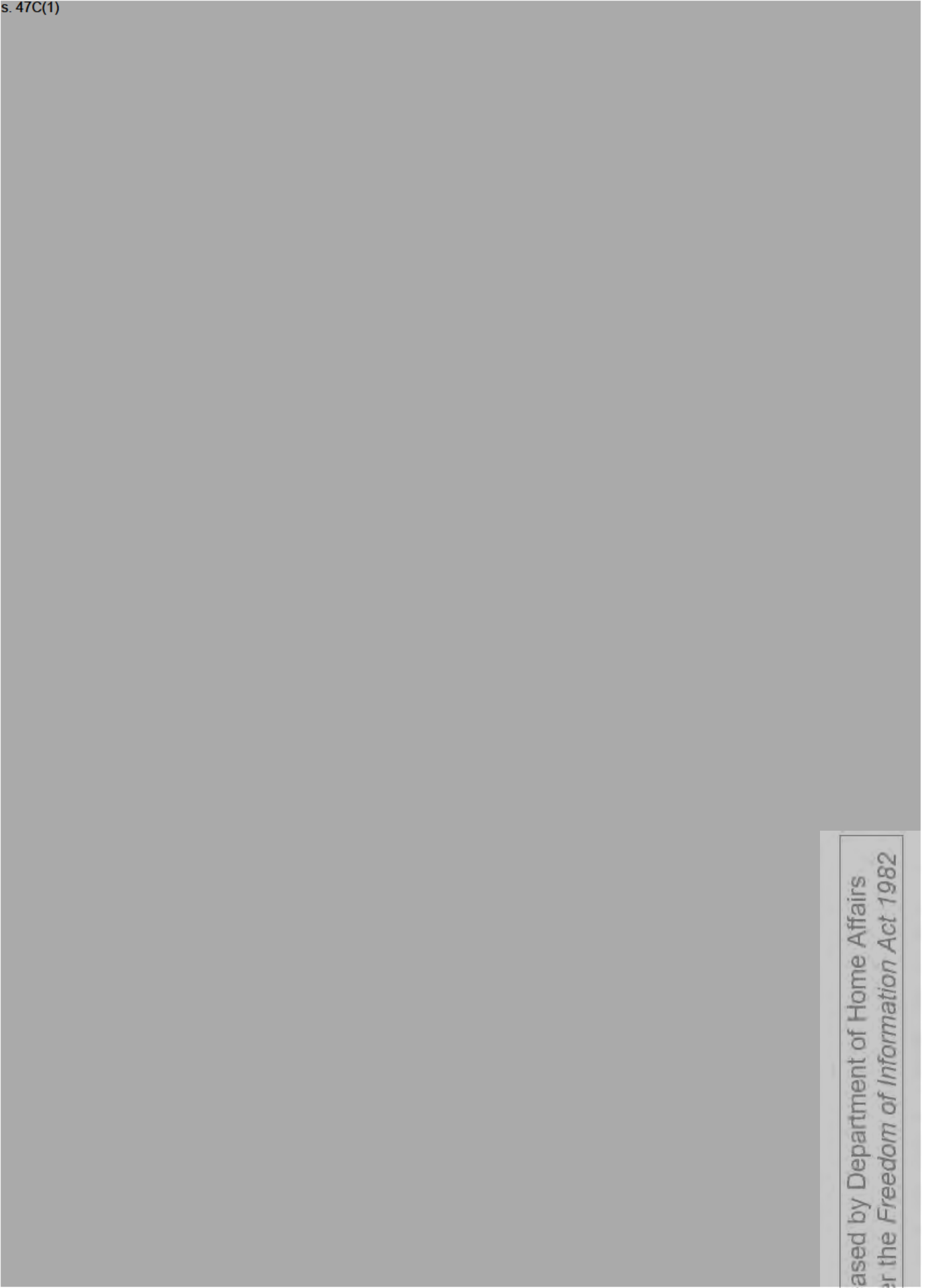
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Caseload priorities for 2013–14

Caseload priorities – Refugee category ^{s. 47C(1)} [redacted] (places)

s. 47C(1)



20. The proposed caseloads (by region) are:

- **Middle East (including North Africa):** Iraqis in Syria, Turkey, Lebanon and Jordan ^{s. 47C(1)} [redacted] (places); Afghans in Pakistan and Iran ^{s. 47C(1)} [redacted] Syrians in Lebanon ^{s. 47C(1)} [redacted] Iranian Baha'is in Turkey ^{s. 47C(1)} [redacted] ^{(s. 33(a)(iii))} [redacted] Ethiopians and Sudanese in Egypt; and Eritreans in Sudan ^{s. 47C(1)} [redacted]

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- **Asia:** Refugees from Myanmar in Thai border camps and India ^{s. 47C(1)} Bhutanese in Nepal ^{s. 47C(1)} Afghans, Iraqis and other nationalities in Indonesia ^{s. 47C(1)} places); and refugees from Myanmar, Afghans, Iraqis and other nationalities in Malaysia ^{s. 47C(1)} and
- **Sub-Saharan Africa:** ^{s. 47C(1)} Refugees from the Democratic Republic of the Congo (DRC) in eastern and southern Africa and Great Lakes region; Ethiopians in eastern and southern Africa; Sudanese from Kenya; and Somalis from Eritrea and Kenya. The Somali cohort will be drawn from applicants previously interviewed by Australian officials.

21. Attachment A provides more background on each of these caseloads.
22. Attachment B sets out for your approval, proposed planning levels and locations for each of the key refugee caseloads.

Resettlement of Syrian refugees – Executive Committee announcement

23. We previously made an informal indication to UNHCR that Australia would resettle some 500 Syrian refugees from Lebanon in 2013–14 as part of their first stage resettlement strategy. UNHCR had approached resettlement states in late June 2013 to consider participating in an international effort to resettle 2000 of the most vulnerable Syrian refugees who would not be able to return to Syria. ^{s. 33(b)(iii)}

^{s. 33(b)(iii)}

24. The forthcoming annual meeting of the UNHCR Executive Committee (ExCom) in Geneva (30 September to 4 October) will have a strong focus on Syria, with the first two days devoted to discussion on responses to the humanitarian crisis caused by the unrest in that country. This meeting provides an appropriate opportunity for Australia to announce the size of its initial resettlement commitment for Syrian refugees (500 places from the first tranche of 2000 cases). **We are seeking your agreement for Australian officials to make this announcement at the session on Syria at ExCom on 30 September and 1 October.**

25. A separate briefing is being prepared for you about the ExCom meeting.

Community Proposal Pilot (CPP)


26. The CPP commenced on 1 June 2013 and it is currently planned that the Pilot accommodate up to 500 places from within the offshore component of the Humanitarian Programme. Under the pilot, community organisations within Australia will be involved in identifying individuals for resettlement in Australia and supporting them should they be granted a visa.
27. The CPP drew on the experience and lessons learned from the Canadian Government's Private Sponsorship of Refugees Programme, which has operated since 1978. The CPP was implemented within the existing legislative framework, requiring changes only to the *Migration Regulations 1994*.

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28. It is proposed that the CPP be open to all communities and there is considerable interest particularly from Middle Eastern communities. The pilot is currently scheduled to finish on 30 June 2014.
29. It is proposed that the CPP will be evaluated at key points to consider the feasibility of a fully-fledged community proposal scheme. The Department will bring forward the preliminary findings of the evaluation in the 2014–15 Budget context. ✓
30. Further information about the CPP is at Attachment C.



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Caseload priorities – Special Humanitarian Programme (SHP) s. 47C(1)



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38. SHP processing priorities were amended as part of other legislative and policy changes introduced in September 2012 to bar people who arrive by boat after 13 August 2012 from proposing family members under the SHP. Although these people can no longer propose their family, including their immediate family members, SHP applications proposed by people who arrived prior to 13 August 2012 can still be lodged. These are now accorded lowest priority in processing with most likely to be refused over the coming year. These complementary approaches have resulted in a smaller proportion of the SHP being taken by the immediate family of people who arrived as UMAs, who are now seeking family reunion under the Family Stream of the Migration Programme. In 2011–12, 66 per cent of SHP grants were to people proposed by UMAs compared to 42 per cent in 2012–13. The number of SHP grants to this cohort in the current year is projected to be around 50 which equates to three to five per cent of the planned SHP intake. These 50 will comprise the most highly compelling and long-standing applications and will finalise SHP grants from the priority 4 group.


39. A time limited concession remains for unaccompanied minors seeking to propose their parents to Australia. Under this concession, minors who arrived before 13 August 2012 seeking to reunite with their parents in Australia are accorded higher priority than other UMAs seeking to reunite with family members. In addition, applicants do not need to present individual claims of discrimination. Minors who arrived after 13 August 2012, like all other UMAs, are unable to propose any family members, including parents. The current concession recognises the particular vulnerabilities of minors seeking to establish their life in Australia and that there are few viable options to reunite with parents under the Family Stream of the Migration Programme.


*reunite
concession*

S 47C(1)


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s. 47C(1)



- s. 33(a)(iii)
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s. 47C(1)



41. Attachment D sets out for your approval, proposed planning levels for SHP caseloads in 2013–14.

Background

Humanitarian Programme visa grants in 2013–14

42. At 22 September 2013, there have been 2313 visas granted under the offshore component of the 2013–14 Humanitarian Programme comprising:
- 2263 Refugee category visas
 - 50 SHP category visas
43. The largest nationality groups granted visas have been Afghans (803), Iraqis (390), refugees from Myanmar (289) and DRC Congolese (171).

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Consultation – internal/external

46. Internal: Regional Directors in Humanitarian processing overseas posts; Global Manager, Refugee and Humanitarian visas; Citizenship, Settlement and Multicultural Affairs Division; International Engagement Branch; Irregular Migration and Protection Policy Branch; Onshore Protection Branch and Visa Framework and Family Policy Branch.

47. External: Department of Foreign Affairs and Trade.

Client service implications

48. No new client services implications are anticipated.

Financial/systems/legislation implications

49. There are no direct financial, systems or legislative implications. (The reduction in the size of the 2013–14 Humanitarian Programme is being addressed in a Cabinet Submission).

Attachments

Attachment A Information on proposed Refugee caseloads in 2013–14

Attachment B Proposed Refugee category caseload allocations

Attachment C Information on the Community Proposal Pilot

Attachment D Proposed Special Humanitarian Programme category caseload allocations

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Contact Officer 22(1)(a)(ii) Assistant Secretary, Humanitarian Branch, ps 22(1)(a)(ii)

Through Deputy Secretary Southern *WS 24/9/13*

CC Assistant Minister for Immigration and Border Protection
Secretary
Deputy Secretaries
FAS, Refugee, Humanitarian and International Policy
FAS, Citizenship, Settlement and Multicultural Affairs
FAS, Visa and Offshore Services
FAS, Border, Refugee and Onshore Services
Global Manager, Refugee and Humanitarian Visas
Assistant Secretary, Onshore Protection Branch
Assistant Secretary, Irregular Migration and Protection Policy Branch
Assistant Secretary, International Engagement Branch
Assistant Secretary, Offshore Biometrics and Overseas Network Branch

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Information on Proposed Refugee caseloads in 2013–14

Outcomes by region in 2012–13 and proposed planning levels in 2013–14

Region	Outcome 2012–13	Proportion	Proposed intake 2013–14	Proportion
Middle East/South West Asia	6629	55.2%	s. 47C(1)	
Asia	4206	35.0%		
Africa	1150	19.6%		
Other	27	0.2%		
TOTAL	12 012	100.0%		

Middle East/South West Asia s. 47C(1)

Iraqis in the Middle East – Iraqis were the largest nationality resettled in 2012–13 (over 4000 visas granted) and s. 47C(1). Around half of the Iraqi intake was from Syria, with significant numbers from Turkey, Jordan and Lebanon. This large intake in 2012–13 reflects the commitment made in September 2012 to resettle an additional 1000 Iraqi refugees from Syria and s. 33(a)(iii).

s. 33(a)(iii)

Most Iraqi SHP applicants at that time were covered by a group refugee mandate status. While the refugee intake of Iraqis is likely to decrease slightly as the resettlement focus from the Middle East may shift to accommodate increasing numbers of Syrians, this is likely to be offset by an increasing number of SHP grants s. 47C(1).

s. 47C(1) Initial indications are that the Community Proposal Pilot will also be of interest to a number of Iraqi communities and may provide an alternative stream for resettlement to supplement refugee and general SHP intakes.

The composition of the Iraqi refugee intake will continue to reflect UNHCR's own resettlement priorities with most likely to continue to be resettled from inside Syria. The focus will be mainly minority communities, including Christian minorities and Sabian Mandaean, as well as refugees with highly compelling claims from Muslim minorities and from 'mixed marriage' backgrounds.

Afghans in Pakistan and Iran – Afghans in Pakistan and Iran represent the two largest long-standing refugee populations globally. Australia significantly increased resettlement of Afghans from Pakistan in 2012–13 s. 47C(1).

Australia has been working closely with UNHCR and the International Organization for Migration within Pakistan to provide medical assessment and interview facilities in Quetta. These will improve access to the Humanitarian Programme. s. 33(a)(iii).

s. 33(a)(iii)

We recommend that this stream of refugee resettlement should continue as a priority in the 2013–14 Programme.

s. 33(a)(iii)

Syrians – Australia has already made an informal undertaking to UNHCR to resettle some 500 Syrian refugees in 2013–14, primarily from Lebanon, with the first referrals likely to be in the second quarter of the Programme year. Australia resettled around 100 Syrians under the SHP from Lebanon in 2012–13. A balance of linked and unlinked cases will assist in settling arrivals beyond western Sydney where there is a large Syrian community. Depending on developments within Syria, this is likely to become a more important part of our refugee intake into future years.

s. 33(a)(iii)

Iranians – We propose that Australia continue its modest resettlement programme for Iranian Baha'is from Turkey in addition to a small number of other Iranian refugees. s. 47C(1)

s. 47C(1)

Ethiopians and Sudanese in Egypt and Eritreans in Sudan – We propose that Australia continue to resettle these African nationals from Egypt and Sudan. Eritrean refugees in camps in eastern Sudan are a protracted refugee situation and seen as a resettlement priority for UNHCR. Most UNHCR-referred refugees in Egypt are urban-based in Cairo and face increasing uncertainty given the civil unrest in that country.

s. 33(a)(iii)

Afghan LEE and their families – Applicants will be granted 'in-country' visas and counted against the refugee category of the Programme. As indicated at paragraph 32, the projected number of grants in 2013–14 has been adjusted down to 800 from the initial planning level of 1000 places. The reflects the smaller than expected family size of applicants. The additional places will be placed in a contingency pool.

Middle East contingency – 200 places will be held for use within the Middle East to address contingencies during the course of the year.

Asia and Australia's immediate region s. 47C(1)


s. 33(a)(iii)

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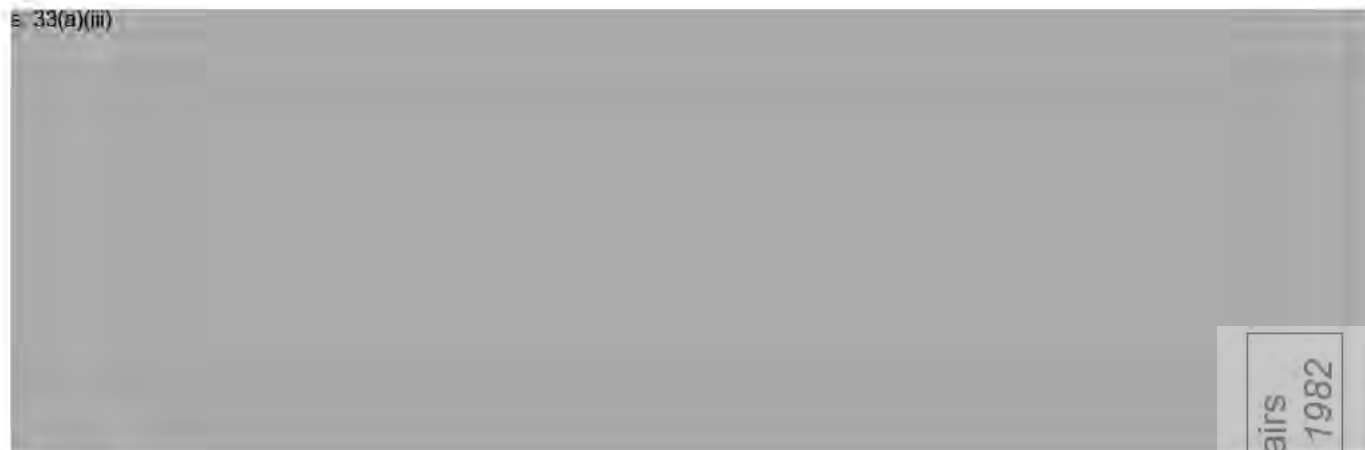
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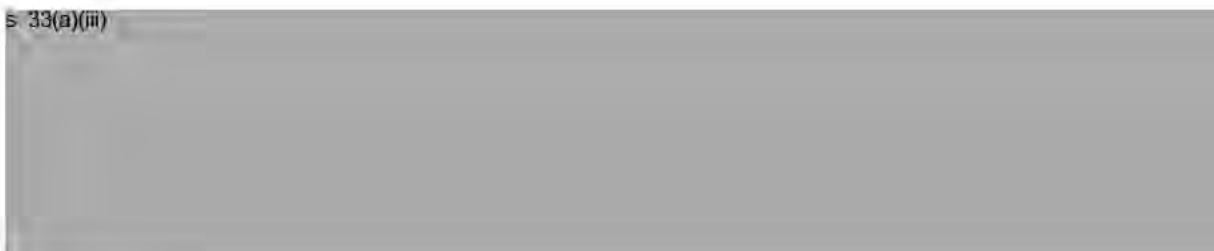
§ 47C(1)




§ 33(a)(iii)




§ 33(a)(iii)



§ 33(a)(iii)



§ 47C(1)



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Refugees from Myanmar in Thailand and India – The proportion of refugees from Myanmar in the refugee intake is likely to continue to decline in coming years as UNHCR explores other durable solutions in the light of political improvements inside Myanmar. Depending on future resettlement from Malaysia – see above – this may result in a fairly significant stepping down of numbers of refugees from Myanmar who are resettled. The United States is also currently winding up its resettlement of refugees from Myanmar from Thai border camps. s. 47C(1)

s. 47C(1)

Bhutanese in Nepal – Resettlement states, including Australia, are withdrawing from significant further resettlement of Bhutanese from Nepal as most of the refugee population has already been resettled. The stepping down aligns with UNHCR's strategy to pursue other durable solutions such as local integration and voluntary return for the small residual refugee population. Australia is likely to meet, during the course of the 2013–14 Programme, the commitment to resettle 5000 Bhutanese from Nepal which was set in 2008. Australia has made an undertaking to UNHCR to continue resettlement beyond the 5000 commitment, albeit at lower levels, with a focus on refugees with close family links. ✓

Africa (1100 places)

↓ 500 - lowered on family links, provided for in STIP

African refugees are resettled through the Cairo and Nairobi posts. Cairo is responsible for the resettlement of refugees from North Africa and Sudan and is part of the Middle East region. Discussion of African caseloads resettled through Cairo is included in the section on the Middle East.

Nairobi is the only refugee processing post in sub-Saharan Africa and has responsibility for the remainder of the continent. Kenya, Uganda, Malawi and Eritrea were the main locations from which sub-Saharan refugees were resettled in 2012–13.

DRC Congolese – DRC Congolese have been the largest African nationality resettled from Africa over recent years and an important caseload in building refugee communities in regional locations. UNHCR is seeking multi-year commitments from resettlement states for DRC Congolese in eastern Africa and the Great Lakes region. There would be benefit in Australia making a multi-year commitment similar to that entered into for the Bhutanese from Nepal in 2008 and this could be explored as part of your considerations on the 2014–15 Programme. Longer term commitments allow for better settlement planning and a commitment of this nature would also underline Australia's continuing engagement in resettlement from Africa. s. 47C(1)

s. 47C(1)

Eritreans, Ethiopians, Sudanese and Somalis – Along with DRC Congolese, these four nationalities have been the backbone of Australia's intake from Africa over recent years. Should Australia make a multi-year commitment to the resettlement of DRC Congolese, the intake from Africa could continue to be supplemented from these groups.

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In sub-Saharan Africa, Eritreans are primarily resettled from Ethiopia and Ethiopians from Kenya. Australia has been resettling limited numbers of Somalis each year from the large on hand caseload of around 1000 refugees in Eritrea and Kenya who were interviewed in previous years. Due to the difficulties in accessing these applicants in remote camps, processing has taken longer than most other cohorts. UNHCR continues to pressure Australia to accept further new referrals of Somalis but we have indicated that we cannot accept further group referrals until such time as we can work through our existing pipeline of applicants. Somalis proceeding to grant will have a focus on family groups and other vulnerable individuals who are at an advanced stage of processing and have been under consideration for a number of years.

Other (S. 47C(1))

In addition to the Middle East contingency, there are 100 places for use by posts outside the three key regions and as part of a UNHCR identified emergency pool. These places have been used in the past to accommodate specific requests from UNHCR for international assistance, for example, the resettlement of some 100 Horn of Africa refugees who fled from Libya to Tunisia during the civil unrest in Libya in 2011 or bilateral requests from other resettlement states. (S. 33(a)(iii))

(S. 33(a)(iii))

(S. 33(a)(iii)) Places are also drawn down for use by posts where there is no specific allocation of places and where UNHCR has sought Australia's assistance in resettling particular highly vulnerable individuals. This has included small numbers of refugees in the Pacific in the past.

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2013-14 Humanitarian Programme — 9500 to 10 000 place Refugee Category — Proposed Caseloads

Attachment B

Region	Key caseloads and locations	2012-13 Outcome	2013-14 Current Allocation	2013-14 Proposed Allocation
Middle East, South West Asia and North Africa		6629	6050	8 470(1)
	Iraqis primarily located in Syria, Jordan, Turkey and Lebanon (majority in Syria)	4002 ¹	1950	
	Afghans in Pakistan and Iran	1804	1900	
	Syrians in Lebanon	N/A	500	
	Iranian Baha'is in Turkey	288	300	
	Ethiopians and Sudanese in Egypt and Eritreans in Sudan	462	300	
	s. 33(a)(iii)	73	100	
		N/A	1000	
		N/A	N/A	
	Middle East contingency to respond to emerging situations ³	4206	2750	
Asia				
	UNHCR referred refugees in Malaysia	1350	1000	
	UNHCR referred refugees in Indonesia	605	750 – 1000	
	Refugees from Myanmar and other urban based caseloads in Thailand and India	1216	400 – 500	
	Bhutanese in Nepal	1035	350 – 500	
Sub-Saharan Africa		1150	1100	
	Around 1100 refugee visas to a range of African nationalities such as DRC	1150	1100	
	Congolese, Eritreans, Ethiopians, Somalis ⁴ and Sudanese in sub-Saharan Africa			
Others	UNHCR Emergency Resettlement Pool and other vulnerable cases out of region	27	100	
Total		12 012	10 000	

¹ Iraqi resettlement in 2012-13 was increased due to a substantial numbers of SHP applicants being 'upgraded' to refugee visas after formal referral by UNHCR as refugees.

² s. 33(a)(iii)

⁴ Refugee visas granted to Somalis will have a focus on family groups and other vulnerable individuals who are at an advanced stage of processing and have been under consideration for a number of years.

⁵ The 2013-14 total offshore allocation includes up to 500 places for the Community Proposal Pilot. These places will be drawn from posts' existing allocations from either the refugee category or the SHP category, depending on the circumstances of the applicant. Most are expected to be granted under the SHP and come from the Middle East region.

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Information on the Community Proposal Pilot (CPP)

- Community organisations within Australia will be involved in identifying and supporting individuals under the CPP:
 - Approved Proposing Organisations (APOs) will, either independently or with the assistance of a Supporting Community Organisation (SCO), provide financial assistance and settlement support services
 - APOs will support, guide and monitor SCOs and notify the department of any issues that may jeopardise the wellbeing of the entrants
 - APOs are mainstream organisations that are well-established, experienced in working with humanitarian entrants, and have entered into a Deed of Agreement with the department.
 - SCOs are established community groups or organisations in Australia that would work with an APO to propose and support humanitarian entrants.
- Organisations will be expected to provide:
 - A significant two-stage VAC:
 - A first stage VAC of \$2680 (at 1 July 2013) for the primary applicant, to be paid at the time the application is lodged
 - A second stage VAC of \$16 444 (at 1 July 2013) for the primary applicant, to be paid just prior to a decision on the application
 - A second stage VAC of \$2680 (at 1 July 2013) for each secondary applicant, to be paid just prior to a decision on the application.
 - The cost of airfares and medical checks
 - Practical support to assist humanitarian entrants settle in the community
 - Services broadly similar to those currently provided to humanitarian entrants under the Humanitarian Settlement Services (HSS) programme, e.g.:
 - Meeting entrants on arrival
 - Orientation
 - Essential registrations (e.g. schools, Centrelink, Medicare, banking)
 - Basic household goods
 - Linking entrants with their community and government programmes.
 - Short and long term accommodation

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- People proposed under the CPP will be granted permanent humanitarian visas and the support period will be up to 12 months.
 - Applicants will be required to meet the normal criteria for a humanitarian visa, including health, character and security requirements.
- Entrants under the CPP will be able to access services such as Medicare and social security payments, subject to normal eligibility requirements.

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Attachment D

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