



Australian Government

Department of Immigration and Border Protection

Submission

For decision

ExecCorro Reg.Number *5112013/03258*

Received

23 OCT 2013

Minister for Immigration
and Border Protection

To Minister for Immigration and Border Protection

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

Timing *Please action by 7 November 2013*

Recommendations

That you:

1. agree that within the 13 750 place Humanitarian Programme in 2013–14, the offshore component comprise a minimum of 11 000 places and that the ranges for each offshore category be managed at:

agreed / not agreed /
please discuss

(a) 6000 to 6500 Refugee category places, and

(b) 4500 to 5000 Special Humanitarian Programme (SHP) category places;

2. agree that at least 1000 places within the Refugee category be for the Woman at Risk visa Subclass;

agreed / not agreed /
please discuss

3. agree to the following management strategies in order to deliver the 2013–14 Programme within the parameters you have proposed:

s. 47C(1)



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plc see
comment
on
attached

4. agree to the proposed Refugee and SHP caseloads and geographical composition as outlined at Attachment B, delivery of which reflects the strategies outlined in recommendation 3;

agreed / not agreed / please discuss

5. note that the department will brief you further on delivery of the 2013-14 Humanitarian Programme and options for adjustments in January 2014 following a mid-year review of the Programme;

noted / please discuss

6. note that the department is preparing a further submission for your decision relating to revised processing priorities for the SHP and changes to regulations;

noted / please discuss

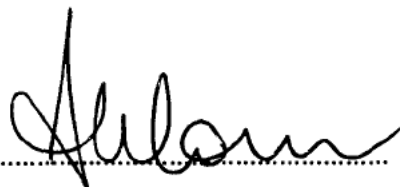
7. sign the draft letter at Attachment D to the Minister for Foreign Affairs seeking her views on the proposed composition of the offshore component of the 2013-14 Humanitarian Programme;

signed / please discuss

8. note that, should you wish, a media release can be prepared in consultation with your office and the National Communications Branch about the priorities in the 2013-14 offshore Humanitarian Programme.

noted / please discuss

Minister for Immigration and Border Protection

Signature.....

Date.....24/12/2013

s. 47C(1)



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Minister's Comments				
s. 47C(1)				
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:

Key Issues

1. This submission seeks your agreement to a number of strategies to manage the 11 000 (at minimum) place offshore component of the 2013–14 Humanitarian Programme within the parameters you outlined in your comments on the submission of 24 September 2013 (SM2013/03313 – *'Management of the Offshore Component of the 2013–14 Humanitarian Programme'*) and which were subsequently discussed with Jim O'Callaghan, Assistant Secretary, Humanitarian Branch on 2 October 2013.
2. A copy of SM2013/03313, including your comments, is at Attachment A.

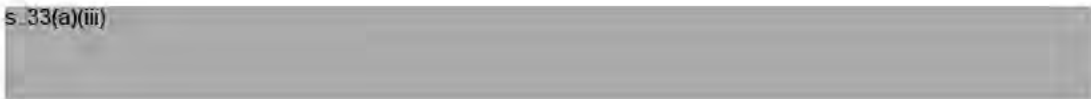
Parameters for the 2013–14 offshore Humanitarian Programme

3. In relation to **planning levels**, you have indicated that your preferred planning levels for an offshore component in 2013–14 with a minimum of 11 000 places is:
 - 6000–6500 Refugee category visas; and
 - 4500–5000 Special Humanitarian Programme (SHP) visas.

4. s. 47C(1)



s. 33(a)(iii)



s. 47C(1)

5.

6.



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Visa grants in the offshore component at 6 October 2013

7. The table below sets out visa grants by region at **6 October 2013**. Some 620 visas have already been granted to African nationals, reflecting the planning levels set by the previous government for the 2013–14 Programme. Please note that **neither Nairobi nor Cairo post have granted any further visas since you indicated your preferred allocation for the Africa region (500 places)**. § 33(a)(iii)

§ 33(a)(iii)

Visa grants under 2013–14 Humanitarian Programme as at 6 October 2013

REGION	Main Posts	Refugee	SHP	Total	%
ASIA	Bangkok, Jakarta, Kuala Lumpur, New Delhi, Dubai*, Islamabad*, Tehran*	1513	33	1546	57.5
MIDDLE EAST	Amman, Ankara, Beirut, Cairo**	520	0	520	19.3
AFRICA	Cairo**, Nairobi	591	29	620	23.0
OTHER	Berlin	4	0	4	<1.0
TOTAL		2628	62	2690	100.0

* Dubai, Tehran and Islamabad process applications from Afghans in Pakistan, Iran and Afghanistan (for Afghan LEE) respectively

§ 33(a)(iii)

Proposed planning levels and caseloads by region

8. Attachment B sets out for your agreement, proposed planning levels by component, region and caseload to give effect to these parameters. This also draws on the proposed management strategies outlined from paragraphs 11 to 34 below.

9. § 33(a)(iii), § 47C(1)

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10. **There will be an opportunity to revisit these initial planning levels in January 2014 as part of the mid-year review** of the delivery of the 2013–14 Programme. As the Programme is managed flexibly, there also remains scope to adjust allocations throughout the course of the Programme year in order to ensure full delivery against components. In previous years, security issues in countries in the Middle East, South West Asia and Africa have impacted on the department's ability to access applicants. As a result, applicants were drawn from other caseloads or source countries to meet shortfalls.

Management strategies

11. In order to deliver the 2013–14 offshore Programme within the parameters outlined at paragraphs 3 to 6, we are seeking your agreement to adopt a number of management strategies which are outlined below. In most cases, these are transitional measures only which we would not expect be used into future years. These take account of the number of grants already delivered, as well as cases at an advanced stage of processing in the initial 10 000 place refugee allocation for 2013–14. **Posts where there will be changes to either total allocations or caseload mixes have been asked to pause further grants until you have considered the strategies outlined in this submission.**

Rebalancing the numbers in the Refugee and SHP categories

12. s. 47C(1)

13.

14.

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s. 47C(1)

20. African and Afghan caseloads have been central to delivery of large woman at risk programmes over the last 10 years, accounting for 39 per cent (African) and 30 per cent (Afghan) of all Woman at Risk grants over this period. Woman at Risk grants peaked between 2004–05 and 2006–07 which was also the high-water mark of African refugee resettlement. Although the proportion of people resettled from the Africa region has been declining since this time, resettlement of women at risk from Africa has remained critical to delivery of government targets for this subclass. Attachment C provides more information about the Woman at Risk intake over the last 10 years including regional source.
21. Without Africa, other posts are only likely to be able to achieve a total Woman at Risk outcome of around 800 visa grants with more than half projected to be Afghan women at risk from Pakistan and Iran. s. 47C(1)

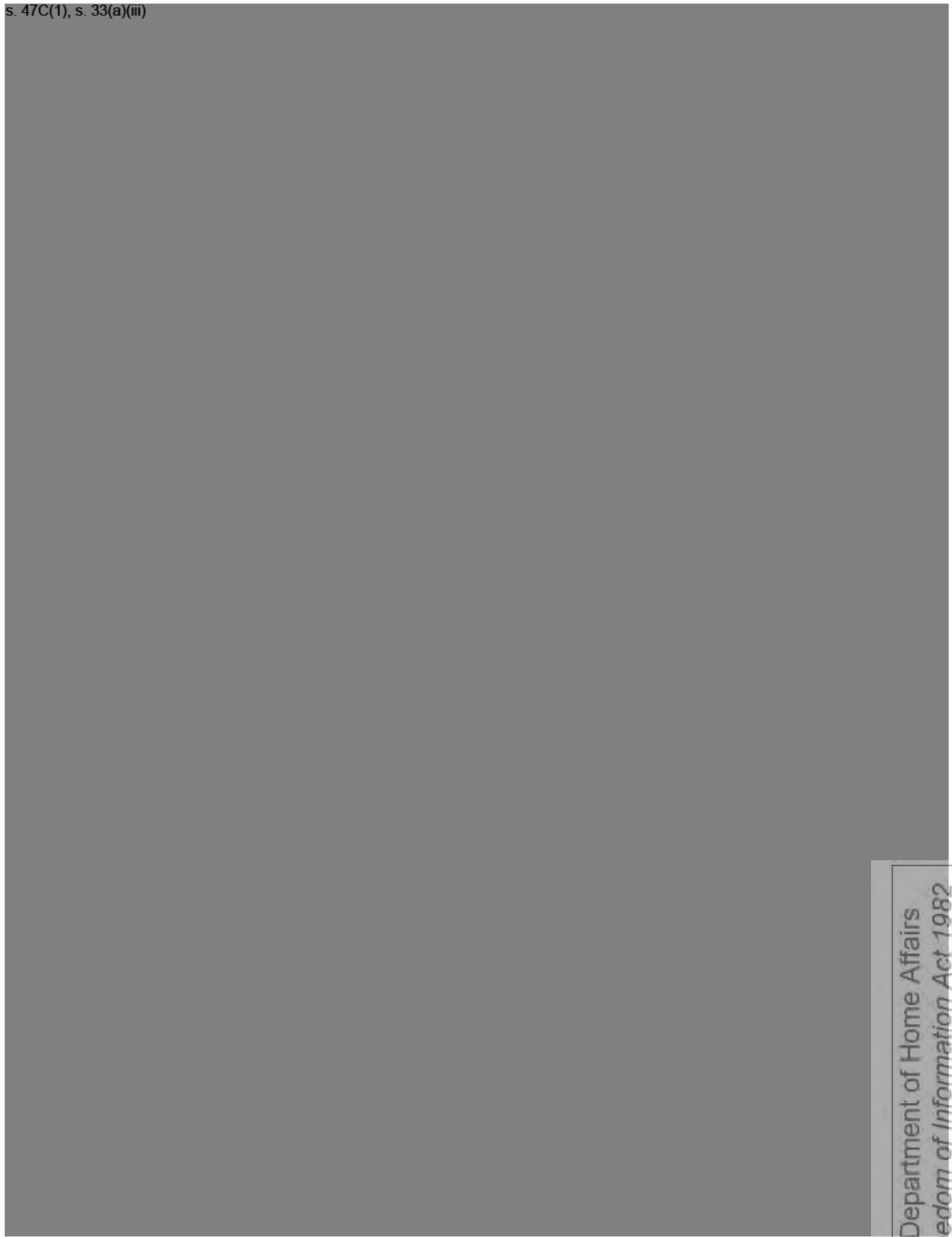
s. 47C(1)

22. Feedback from settlement service providers is that African communities are achieving positive settlement outcomes, particularly in regional locations such as Coffs Harbour, Toowoomba, Logan and Tasmania. Many Woman at Risk entrants, including those from the African region, become deeply involved with their local community and provide assistance to others in a variety of ways, including through volunteering, interpreting, education and employment.

s. 47C(1)

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



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31. We are also proposing that there be a small supplementation to the proposed SHP allocations for African nationals with up to 100 places in total being made available in the current year. This will allow a modest number of long-standing applications proposed by immediate ('split') family members in Australia to advance to grant this year. African nationals account for the largest number of applicants falling within the highest priority for SHP processing, that is people who themselves were previously granted an offshore humanitarian visa seeking to reunite with their spouse or dependent children. Given the falling number of available SHP places in recent years 'squeezed out' by the increasing number of IMAs, African communities in Australia have largely 'self-managed' down the number of SHP applications with most new applications received now being for immediate family members only. These places could also be used for Africans proposed under the Community Proposal Pilot.

32. **We propose that an amended planning level for Africa (Nairobi and Cairo – s. 33(a)(iii)) be around 900 places** which will include:

- visas granted to date in Nairobi and Cairo s. 33(a)(iii) – 620;
- further woman at risk cases from Africa (mainly DRC Congolese) to meet the 1000 target for the Woman at Risk intake – an additional 200 refugee places;
- a small supplementation for the most compelling and long-standing SHP applications from Africans proposed by immediate family members in Australia who themselves were resettled under the offshore Programme in earlier years – 100 places including 29 visas already granted.

33. This configuration will still allow for some 50 per cent of the Programme to be sourced from Asia. It is a reduction of some 700 places from the intake from Africa in 2012–13 and will be the smallest intake from Africa in more than 10 years.

34. Subject to your views, in future years we can refocus the intake from Africa across the Woman at Risk Subclass and SHP stream, with caseload priorities to be determined as part of your wider considerations on the 2014–15 Humanitarian Programme.

Further submission on SHP priorities and regulation changes

35. We are currently preparing a more detailed submission for your decision which will include proposed regulation changes to remove concessions under the SHP to the immediate family members of people who arrived as IMAs. This will also outline new processing priorities for SHP applications which will remove the existing priority in processing for unaccompanied minors who arrived as IMAs and who wish to propose their parents for entry to Australia. These measures will ensure the SHP is focused on people whose link to Australia was established through the previous planned entry of their proposer under the offshore Humanitarian Programme.

Consultation with UNHCR

36. Subject to your views, we propose to have discussions with UNHCR in Geneva around the proposed level of refugee resettlement and priority caseloads in the 2013–14 offshore component of the Programme, once you have agreed to these. We propose that this takes the form initially of a letter from Deputy Secretary Southern to the Head of the UNHCR Resettlement Service outlining proposed caseloads and priorities which will be followed up with discussions involving the Chief Migration Officer in Geneva, relevant UNHCR resettlement bureaux personnel and senior officers from the department. This will allow for cascading discussions to be held between posts and their UNHCR operational counterparts in the field in order to plan required numbers of referrals of refugees in some locations and cessation of ongoing referrals in others. Posts have been advised to not discuss individual planning levels or proposed caseloads with UNHCR locally until you agree that discussions occur with Geneva.

Draft letter for Minister for Foreign Affairs

37. Included at Attachment D is a draft letter for your signature outlining to the Minister for Foreign Affairs your proposed caseloads and priorities for resettlement under the offshore component of the 2013–14 Programme. It is a long-standing convention that the Minister for Foreign Affairs be consulted on the geographical composition of the offshore component of the Humanitarian Programme, given its importance across a number of regional and bilateral relationships. This formal consultation has also been required by the Cabinet in the past.
38. Initial discussions with the Department of Foreign Affairs and Trade (DFAT) have indicated no significant concerns with the proposed caseloads and composition. Both departmental and DFAT officers at overseas missions have also discussed these matters.

Media release about the 2013–14 Programme

39. Should you wish, a media release can be prepared about the size and composition of the 2013–14 Humanitarian Programme in consultation with your office and the National Communications Branch.

Consultation – internal/external

40. Internal: Regional Directors and Principal Migration Officers in Humanitarian processing overseas posts; Global Manager, Refugee and Humanitarian visas; Offshore Humanitarian Processing Centres; Offshore Biometrics and Overseas Network Branch; and Citizenship, Settlement and Multicultural Affairs Division.
41. External: DFAT.

Client service implications

42. No new client services implications are anticipated.

Financial/systems/legislation implications

43. 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 Copy of submission SM2013/03313 – ‘*Management of the Offshore Component of the 2013–14 Humanitarian Programme*’
- Attachment B Proposed planning levels by region and component, including proposed key caseloads
- Attachment C Woman at Risk Programme Background
- Attachment D Draft letter to the Minister for Foreign Affairs

Authorising Officer

22(1)(a)(ii)

First Assistant Secretary
Refugee, Humanitarian and International Policy Division

22/10/2013

s. 22(1)(a)(ii)

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

Through A/g Deputy Secretary 22(1)(a)(ii)

CC Assistant Minister for Immigration and Border Protection
Secretary
Deputy Secretaries
FAS, Visa and Offshore Services
FAS, Border, Refugee and Onshore Services
FAS, Citizenship, Settlement and Multicultural Affairs
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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The Hon Scott Morrison MP
Minister for Immigration and Border Protection

The Hon Julie Bishop MP
Minister for Foreign Affairs
Parliament House
CANBERRA ACT 2600

Dear Minister

Composition of the offshore component of the 2013–14 Humanitarian Programme

I am writing to advise you of the proposed geographical composition of the offshore (resettlement) component of the 2013–14 Humanitarian Programme.

As you know, the Government has reserved a minimum of 11 000 of the 13 750 places in the 2013–14 Programme for people outside Australia in need of resettlement. This includes refugees, most of whom will be referred for resettlement by the United Nations High Commissioner for Refugees (UNHCR), as well as other people in humanitarian need proposed by relatives or community organisations in Australia under the Special Humanitarian Programme (SHP). People resettled under the Humanitarian Programme in 2013–14 will be drawn from Asia, the Middle East and Africa.

Within the offshore component of the Programme, I am proposing that the planning levels by component be:

- 6000 to 6500 places for refugees, including at least 1000 women at risk; and
- 4500 to 5000 places for the Special Humanitarian Programme.

The rebalancing of the 11 000 places in the offshore component of the Programme between the refugee and SHP categories will begin to restore the SHP to previous levels with more places now available than at any time over the last five years. Fewer and fewer places have been available in recent years for people waiting patiently overseas to join their family in Australia, due to an increasing number of places in the Programme being taken by IMAs.

In the refugee category, the government will set aside 1000 of the 6000 to 6500 places for the Woman at Risk Subclass. The Woman at Risk Subclass provides for the resettlement of women at risk and their dependants who are without the effective protection of male relatives. In 2013–14, more than 15 per cent of all refugee entrants will be women at risk. This will be the largest proportion of Australia's refugee intake devoted to this highly vulnerable group in the last seven years.

The government has already announced a number of specific initiatives within this year's Programme, including

- 500 refugee places for Syrian refugees who have fled to neighbouring countries in the Middle East; and
- s. 47C(1) [REDACTED]

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There is also a planning level of up to 500 places for a community sponsorship pilot programme known as the Community Proposal Pilot which provides opportunities for communities in Australia who pay a substantial Visa Application Charge to be directly involved in the resettlement of people from humanitarian situations overseas and to support them in their settlement in Australia. Places for the Pilot will be included in the 11 000 offshore places with the category of visa granted depending on the circumstances of the applicant.

Resettlement from Asia

I am proposing that § 47C(1) of Australia's intake in 2013-14 be resettled from countries in Asia, including from South West Asia. Refocusing our humanitarian intake so that it is primarily drawn from Asia underscores Australia's commitment to working in partnership with our neighbours to find achievable solutions for long-standing refugee populations in our region as well as using resettlement as part of other approaches to address asylum flows.

Caseloads resettled from Asia will include refugees from Myanmar in Malaysia, Thailand and India; Bhutanese refugees in Nepal; and Afghan refugees in Pakistan and Iran, many of whom have been living for generations in camps and for whom resettlement in a third country such as Australia remains their only option.

In our immediate region, I am proposing that Australia resettle some § 47C(1) refugees from Indonesia in this year's Programme which is the same level as in 2012-13. This demonstrates that Australia recognises the burden for Indonesia in hosting a large number of refugees and asylum seekers. It is important that the number and nationality of refugees resettled from Indonesia strikes an appropriate balance between ensuring Indonesia is not left carrying the burden of asylum seekers in Indonesia and not adding to the 'pull factor' to attract further people to travel to Indonesia.

Malaysia hosts a large number of refugees and asylum seekers, many of whom have been waiting years for resettlement. I am proposing that § 47C(1) places be allocated for the resettlement of refugees from Malaysia, primarily for those who have fled from Myanmar.

Australia will also continue to resettle Afghan refugees from Pakistan and Iran at similar levels to recent years. Afghans in Pakistan and Iran are the largest and most long-standing refugee population globally. Resettlement is an important expression of the international community's recognition of the large Afghan refugee population hosted by Pakistan and Iran over many decades.

Australia has taken the lead in co-ordinating international refugee resettlement efforts for Afghan refugees in Pakistan by chairing a Contact Group in Islamabad of major refugee resettlement countries. Along with the UNHCR and IOM, the Contact Group includes participation from the United States, the United Kingdom, Canada, New Zealand, Japan, Brazil, Sweden and Norway. The focus of Australia's resettlement efforts in Pakistan will continue to be on Hazara refugees, many of whom are in Quetta.

In Iran, Australia will continue to resettle Afghan refugees, including many vulnerable women at risk. Ongoing commitment to resettlement assists the UNHCR and resettlement countries to negotiate for continued protection space as well as better living conditions for the Afghan refugee population.

Resettlement from the Middle East

Vulnerable Iraqi minorities from the Middle East, including Chaldean Christians, Assyrians and Sabian Mandaeans will continue to be a priority for resettlement under the 2013–14 Programme and are likely to again be the single largest nationality resettled under the Programme. Iraqis will be primarily resettled from Syria, but also from Turkey, Lebanon and Jordan. In addition, I am proposing

s. 47C(1)

As previously announced, Australia will resettle an initial group of ^{s. 47C} Syrian refugees from neighbouring countries in the Middle East, particularly from Lebanon. In addition, Australia will continue to resettle a smaller number of Syrians with close family members in Australia under the SHP provisions. Some 90 Syrians in Lebanon were granted visas under the SHP in 2012–13. There is strong support from the well-established Syrian community in Australia for these arrangements, including Christian minorities such as Armenians, Melkites and Assyrians. I anticipate that Australia will continue to work with the international community to resettle Syrians uprooted by the conflict in their country into future years.

s. 33(a)(iii)

Resettlement from Africa

In order to rebalance the Programme so that Australia's strongest focus is on Asia, it is necessary to step down from resettlement from other regions globally, including from Africa.

I am proposing that around ^{s. 47C} places in total are made available for the resettlement of African refugees and the immediate family of people in Australia who themselves were previously resettled under the Programme. This will include refugees from the Democratic Republic of the Congo, Ethiopia and Eritrea, as well as a smaller number of Somalis. Entrants from Africa will be resettled from camps in eastern and southern Africa, as well as from Sudan, Egypt and Eritrea. A large part of the refugee intake from Africa will be for the Woman at Risk Subclass in recognition of the high level of need for this particularly vulnerable group.

A summary of caseloads to be resettled across these three key regions and proposed planning levels is attached.

Our respective departments have discussed the caseloads proposed for resettlement in the 2013–14 Programme and have not identified any issues of particular concern.

The contact officer in my department in relation to the matters raised in my letter is

22(1)(a)(ii) PSM, Assistant Secretary, Humanitarian Branch, who can be contacted on
22(1)(a)(ii) .

I welcome your views on these proposals for the 2013–14 offshore component of the Humanitarian Programme.

Yours sincerely

The Hon Scott Morrison MP

Minister for Immigration and Border Protection

/ /2013

2013-14 Humanitarian Programme – Proposed Regional Allocations and Caseloads

Caseload	Location from which resettled	Notional Planning Levels	% of Total
ASIA REGION		5720	52.0
• Refugees from Myanmar	Malaysia, Thailand and India	1800, including 1000 from Malaysia	
• Bhutanese	Nepal	450	
• Mixed refugee caseload from Indonesia, including Afghans, Iraqis, Iranians and Sri Lankans	Indonesia	600	
• Afghans	Pakistan and Iran	1650	
• [REDACTED]	[REDACTED]	S. 47C	
• [REDACTED]	[REDACTED]	S. 33C	
• Asia Contingency ¹		320	
MIDDLE EAST REGION		4250	38.6
• Iraqis	Syria, Turkey, Jordan, Lebanon	3100	
• Iranians (primarily Baha'is)	Turkey	250	
• Syrians	Lebanon, Jordan, Turkey	750	
• [REDACTED]	[REDACTED]	S. 33C	
AFRICA REGION²		900	8.2
• Democratic Republic of the Congo, Ethiopians, Eritreans, small number of other African nationalities	Kenya, Uganda, Egypt, Sudan, Eritrea and other locations in eastern and southern Africa	900	
OTHER REGIONS/GLOBAL CONTINGENCY³		130	1.2
TOTAL		11 000	100.0

1. Places in Asia contingency will be allocated to posts after the mid-year review in January 2014. Priority will be for applicants from Myanmar and Bhutan.

2. The proposed planning level of 900 places for Africa includes around 620 visas already granted to African nationals at 6 October.

3. Places in Other Regions/Global Contingency will include a small number of places for applicants in Europe and the Americas, if required. The balance of places will be for use across the three main regions as required.