



Refugee Council of Australia

THE AUSTRALIAN TREASURY

2018-19 PRE-BUDGET SUBMISSION

Key points

- A larger and more responsive Refugee and Humanitarian Program
- Restore overseas aid, including for initiatives to support displaced people, and increase funding to the United Nations High Commissioner for Refugees
- Invest in people on temporary protection visas through access to education, the National Disability Insurance Scheme and settlement services
- Restore government funding for legal and income support to refugees and people seeking asylum
- Abolish offshore processing.

About the Refugee Council of Australia

The Refugee Council of Australia (RCOA) is the national umbrella body for refugees, people seeking asylum and the organisations and individuals who work with them, representing over 190 organisations and 1,000 individual members. RCOA promotes the adoption of humane, lawful and constructive policies by governments and communities in Australia and internationally towards refugees, people seeking asylum and humanitarian entrants. RCOA consults regularly with its members, community leaders and people from refugee backgrounds and this submission is informed by their views.

The New York Declaration and the Global Compact on Refugees

There are more forcibly displaced people today than at any time since the end of World War II, and the existing humanitarian system can no longer meet their needs. To address these concerns, on 19 September 2016, the Australian Government and another 192 States signed the New York Declaration.¹ The Declaration set out commitments based on principles for addressing large-scale movements of refugees and migrants, including the development of a Global Compact on Refugees by late 2018. The Global Compact will include a Comprehensive Refugee Response Framework and a Programme of Action to implement the commitments in the Declaration.

¹ New York Declaration for Refugees and Migrants, UN A/RES/71/1, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1.

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In signing the New York Declaration, the Australian Government committed to (among other things):

- Consider increasing the size of existing resettlement programs
- Expanding the number and range of legal pathways available for refugees to be admitted or resettled in third countries, including for families, through private sponsorship and other labour mobility measures
- Providing humanitarian financing that is adequate, flexible, predictable and consistent to enable host countries to respond to humanitarian and longer-term development needs
- Ensuring a people-centred, sensitive, humane, dignified, gender-responsive and prompt reception for all refugees and migrants, and
- Implementing border control procedures in conformity with international legal obligations.

Consistent with the Australian Government's commitment to these principles, the Refugee Council of Australia makes the following recommendations.

1 A larger and responsive Refugee and Humanitarian Program

1.1 At a time of overwhelming need, Australia can and should do more by increasing its intake of people under the Refugee and Humanitarian Program. The additional intake of people from Syria and Iraq in 2016-2017 demonstrates that Australia has the capacity to resettle 22,000 people in one year. Despite the ongoing need and indeed the escalation of conflict in the past year, this has dropped back to 16,250 places in 2017-18.

1.2 Sustaining a higher intake is not only the right thing to do, but will be more efficient and effective for those who are resettled. Significant fluctuations in the intake disrupts service delivery and imposes costs on organisations.

1.3 Australia's Refugee and Humanitarian Program should increase significantly in size as Australia recognises that it should and can do more to contribute to durable solutions for the world's refugees. The Program should be immediately restored to between 20,000 and the size of the Program should be increased to between 27,000-30,000 places annually within three years, and increasing each year in light of global needs.

1.4 As part of its commitment to an enhanced response, Australia should expand alternative migration pathways for refugees, increase access to family reunion outside of the Special Humanitarian Program, and create opportunities for increased community involvement in the refugee resettlement process.

1.5 We would also urge a significant increase in the number of places available to family members of refugees and humanitarian entrants through a separate stream of humanitarian family reunion in the Migration Program. Finally, we would recommend replacing the recently established Community Support Program with a separate and additional private sponsorship program for refugees based on the best aspects of the Canadian model, creating opportunities for broad-based community networks to get involved in raising funds and offering support to build a private sponsorship program of 10,000 places annually within five years.

Recommendation 1

The Refugee and Humanitarian Program should be immediately restored to 20,000 places annually, delinked from onshore permanent Protection Visa grants. The Australian Government should consider further expanding the Refugee and Humanitarian Program to 30,000 places annually.

Recommendation 2

The Australian Government should develop a separate Humanitarian Family Reunion Program, outside of the Refugee and Humanitarian Program and Migration Program. This should be developed in consultation with former refugee community members and organisations, peak bodies and relevant service providers.

Recommendation 3

Enhance public support for the Refugee Program by replacing the Community Support Program with a larger community-based private sponsorship program. Replace the high-cost and restrictive Community Support Program with a separate and additional private sponsorship program for refugees based on the best aspects of the Canadian model, creating opportunities for broad-based community networks to get involved in raising funds and offering support to build a private sponsorship program of 10,000 places annually within five years.

2 Increase support to other countries supporting displaced people and UNHCR

2.1 Developing countries are disproportionately supporting displaced people, with 84% of refugees residing in low- and middle-income countries and remaining close to situations of conflict. In the Asia-Pacific region, Thailand, Malaysia and Indonesia host large numbers of refugees.

2.2 Yet UNHCR has so far received only 44% of the contributions it needs for the Asia-Pacific region (in 2018, US\$492 million). While Australia is a generous donor to UNHCR, clearly more needs to be done.

2.3 To address the root causes of the reasons people leave, we need to invest in more stable, democratic countries. We should therefore restore the funding cut in recent years to our overseas aid program and increase it to a level commensurate to our capacity as the richest country in the region.

Recommendation 4

The Australian Government should:

a) in light of the crucial role of aid in assisting forcibly displaced people, restore Australia's overseas aid program to its former level and develop a plan to increase overseas aid to 0.7% of Gross National Income, and

b) provide additional funding to UNHCR, given the increasing numbers of displaced people worldwide and UNHCR's critical role in coordinating humanitarian responses to displacement.

3 Invest in refugees on temporary visas

3.1 Around 30,000 people have been in limbo seeking asylum in Australia over the past two years, and around 78% of those people who have so far been through the process have been granted temporary protection visas. For most of these people, they will never be able to convert these to permanent visas but will be required to renew them every three or five years (depending on the visa).

3.2 These visas come with many of the same restrictions as other temporary migrants, including restricted access to welfare benefits, higher education subsidies and ineligibility for most settlement services provided to refugees who came by plane, as well as the National Disability Insurance Scheme. However, unlike most other temporary migrants, it is very likely that most of these people cannot return home for many years, if ever.

3.3 It is counterproductive to deprive these people, who will likely be in Australia for many decades and possibly for the rest of their lives, of access to income and disability support, settlement services, and higher education. The denial of access will mean that many more of these people will be unable to be as economically active as they could be, and those effects will also be felt by their children in long-term effects on the quality of their education, employment and integration.

Recommendation 5

The Australian Government should grant people on temporary protection visas access to income support, settlement services, the National Disability Insurance Scheme and higher education subsidies, in line with those on permanent protection visas.

4 A fair process for people claiming asylum

4.1 Since 2014, the Australian Government has withdrawn access to government-funded migration assistance for people seeking asylum who arrive by boat without a valid visa, despite over 30,000 people needing help to navigate this complex process. The 'fast tracking' process introduced by the government was intended to have determined all claims by the end of December 2018, but less than half of these claims had been determined by November 2018.

4.2 This has placed the viability of specialist legal organisations in jeopardy at the time their services are most needed. The lack of legal representation has no doubt also contributed to the delays in processing claims by the Department, increasing the time taken by public servants to process claims efficiently and effectively.

4.3 At the same time, many of these people have also had to endure prolonged poverty, as only some of this group have had income support during this period. Recent policy changes are likely to render more people ineligible for the Status Resolution Service Scheme. Those issued with a bridging visa while waiting for judicial review will also lose income support, leaving a considerable number of people in destitution.

Recommendation 6

The Australian Government should:

a) restore government funding for appropriate legal assistance and advice for people seeking asylum.

b) ensure access to income support for those seeking asylum in financial hardship.

5 Abolition of offshore processing

5.1 The costs of these proposed measures can be entirely offset by abolishing the policy of detaining people seeking asylum on Nauru and Manus Island. The offshore processing regime costs over A\$1 billion per year, more than A\$464,000 per person annually. Since the re-emergence of offshore processing in 2012, the Australian Government has spent more than A\$5 billion on measures which have harmed people seeking protection.² The Australian Government could, by bringing those still in Nauru or Manus Island to Australia, virtually eliminate this vast expenditure.

² ANAO (2016), *Offshore Processing Centres in Nauru and Papua New Guinea: Procurement of Garrison Support and Welfare Services*, www.anao.gov.au/work/performance-audit/offshore-processing-centres-nauru-and-papua-new-guinea-procurement.

Recommendation 7

The Australian Government Australia should end offshore processing by closing all offshore detention, processing and transit facilities and bringing all refugees and people seeking asylum to Australia.