



Refugee Council
of Australia

Senate Standing Committees on Foreign Affairs, Defence and Trade

FURTHER EVIDENCE FOR INQUIRY INTO AUSTRALIA'S ENGAGEMENT IN AFGHANISTAN

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. 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 following provides further evidence and an update on our previous submission. In this, we draw the Committee's attention to the urgent need for visa processing priorities to be determined and communicated, and for pending applications to be progressed in a timely manner. We reiterate the importance of restoring the 28,000 places removed from the Humanitarian Program since 2018 with an additional intake for Afghan nationals at risk. With regards to settlement support, we acknowledge the unique circumstances facing Afghans who were evacuated in chaotic circumstances and have begun their settlement journey in Australia in the context of services having to rebuild after significant COVID-related disruptions, during a public health crisis, and on a visa sub-class (449), the visa which contributes an additional layer of complexity to settlement experiences.

Finally, we provide an update on the situation in Afghanistan from our new staff member, Ahmad Shuja Jamal, who is a former Afghan civil servant and expert, now in exile in Australia. Jamal served as the director-general for international relations and regional cooperation at the Afghan National Security Council, where he helped manage Afghanistan's security partnerships. He also served as director for peace and civilian protection and handled Afghanistan's policy portfolio on international sanctions, including those of the UN Security Council and the US against Taliban, Al-Qaeda, and ISIS. Section 4 provides the Committee with up-to-date information regarding the situation in Afghanistan and the dire need for humanitarian intervention from Australia and other allies.

1 List of Recommendations

Recommendation 1 Special intake of 20,000 humanitarian visas for Afghan nationals

The Australian Government should allocate a special intake of 20,000 humanitarian visas over two years for Afghan nationals in addition to the regular Humanitarian Program intake.

Recommendation 2 Urgently send acknowledgement letters

The Department of Home Affairs should urgently provide acknowledgement letters to all applicants from Afghanistan, including their reference number, to assist with ongoing processing and communication.

Recommendation 3 Publish priority criteria for Afghan humanitarian applications

The Department of Home Affairs should urgently publish their criteria and guidelines for prioritisation of humanitarian visas for the Afghan cohort, in order to assess applications and their representatives and provide for realistic expectations as to the likelihood of success.

Recommendation 4 End the ban on resettlement for refugees in Indonesia

The Australian Government should end the ban that prevents refugees in Indonesia who registered with UNHCR after 30 June 2014 from accessing resettlement.

Recommendation 5 Facilitate and expedite Partner visa applications

The Department of Home Affairs should prioritise processing partner visas for Afghan nationals and facilitate identity and medical assessments in order to support applicants to meet these requirements.

Recommendation 6 Urgently invite evacuees on 449 visas to apply for a subsequent visa and extend application timelines

The Department of Home Affairs should prioritise inviting those on 449 visas to apply for a subsequent visa, and extend the timeline that people have to submit the application.

Recommendation 7 Assess humanitarian visa applications on the papers

The Department of Home Affairs should assess all humanitarian applications from 449 holders on the papers and only interview people where applications are lacking in sufficient detail.

Recommendation 8 Urgently grant overseas split family members of evacuees 449 visas to facilitate visa application processes

The Department of Home Affairs should urgently identify any overseas split family members of evacuees in Australia and grant them a 449 visa in order to facilitate visa applications to ensure family unity.

Recommendation 9 Provide a 12-month rental subsidy to new arrivals

The Australian Government should provide a 12-month rental subsidy to new arrivals to support people into private accommodation.

Recommendation 10 Strategically engage the diaspora in Australia

Noting the up-to-date information outlined about the situation on the ground in Afghanistan, the Australian Government should engage Afghan diaspora members in Australia to provide insights and advice on what is happening in the region and how Australia can strengthen its role and response.

2 Updates on Australia's humanitarian visa intake from Afghanistan and visa processing issues

1.1 Visa intake and processing since August

As the Committee is aware, the number of humanitarian visas granted to Afghan nationals since the Taliban took power in August 2021 is extremely modest – with just over 300 Refugee or Humanitarian (XB subclass) visas granted between August and 1 November 2021, and only 10,000 visas over four years allocated to this cohort within the existing Humanitarian Program of 13,750 places per annum. This is despite over 145,000 people in the applications that have already been submitted, some of which have been pending for nearly a decade.

We understand that delays in visa processing partly relate to the need for priorities to be determined and applications triaged in the context of demand outstripping visa places by some magnitude. The lack of progress on visa processing and finalisation, along with an absence of any communication with visa applicants about the status of their files, continues to cause acute distress and anxiety for those living precariously overseas, as well as for family members in Australia.

The 10,000 humanitarian visas and 5,000 family visas announced by the Minister for Immigration on 21 January 2022 is completely inadequate to address the scale and urgency of the crisis. The 10,000 humanitarian visas announced are within the existing humanitarian program quota of 13,750. This figure also includes the 4,300 people who are already in Australia as part of the August 2021 evacuation from Kabul, and comprises the 3,000 places already committed by the Prime Minister in August. This allocation is also over four years, and fails to grasp the urgent life and death situation for people trapped in Afghanistan or otherwise stranded in countries of first asylum. This commitment pales in comparison to our coalition partners who were also involved in the war in Afghanistan. Following the Taliban takeover of Afghanistan, the UK pledged 20,000 additional refugee visas, Canada pledged 40,000, and the U.S. committed to a substantial intake of 125,000 refugee places, many of which may be reserved for Afghan refugees. Australia can and should do more.

1.2 Reiterating the need for a Special Intake

As outlined in our original submission, the Refugee Council wishes to reiterate the urgent need for Australia to make a significant and additional commitment to providing pathways to safety to Afghans at greatest risk, as well as to families in Australia desperately seeking to bring their wives, children and other family members to safety. As part of its contribution to a coordinated international response, the Australian Government should offer 20,000 additional resettlement places over a two year period for refugees from Afghanistan. This is premised on the significant humanitarian needs, our country's deep links with Afghanistan, and the fact that Australia has the capacity and has made special intakes like this before.¹ There is also strong community support for Australia to step up and support our Afghan allies.

As illustrated below, 20,000 additional places is also in line with the number of places that were originally planned through forward estimates in the 2019-20 Federal Budget but were not realised due to the cut to the program in 2020-21 and the disruption to resettlement visa processing caused by the COVID-19 pandemic.

¹ See: RCOA. <https://www.refugeecouncil.org.au/afghanistan-resettlement-brief/>

Table 1: 2019-20 Budget planning for Refugee and Humanitarian Program and revised totals

	2019-20	2020-21	2021-22	2022-23	Total
Total places in 2019-20 Budget (forward estimates)	18,750	18,750	18,750	18,750	75,000
Places removed in 2020-21 Budget	-	- 5,000	- 5,000	- 5,000	- 15,000
Visas not issued due to COVID-19 pandemic	- 5,579	- 7,803	-	-	- 13,382
Revised total	13,171	5,947	13,750	13,750	46,618
Difference	- 5,579	- 12,803	- 5,000	- 5,000	- 28,382

With regards to determining priorities for an additional Afghan intake, the various categories within Australia's Refugee and Humanitarian Program already offer a structure for the balancing of different priorities. This includes making provisions within the intake for:

- Individuals who were unable to be evacuated and remain at high risk inside Afghanistan (In-country Special Humanitarian visa - subclass 201; including those with Locally Engaged Employee (LEE) certification granted Humanitarian Stay visas – subclass 449)
- Individuals outside Afghanistan who are referred to the Australian Government by UNHCR. This includes individuals and their families who face significant protection risks in neighbouring countries, including high profile public figures, members of the LGBTIQ community and women and girls at risk (Refugee, Emergency Rescue and Women at Risk visas - sub-classes 200, 201, 204)
- Individuals with compelling humanitarian need who have links to Australia, including family members of Australian citizens and permanent residents (Global Special Humanitarian visa – sub-class 202)

Recommendation 1 Special intake of 20,000 humanitarian visas for Afghan nationals

The Australian Government should allocate a special intake of 20,000 humanitarian visas over two years for Afghan nationals in addition to the regular Humanitarian Program intake.

1.3 Visa processing issues

Visa processing for offshore humanitarian applicants is completely inadequate. RCOA understands that only a small percentage of offshore humanitarian visas have been granted within the previous 3,000 (now 10,000) visa allocation. This is especially disappointing given the extremely dangerous situation many applicants find themselves in following the takeover of the Taliban. Given the urgency of the situation and the number of applications, the Department must prioritise and provide additional resources to the assessment and processing of this cohort.

Communication with applicants

Community organisations, migration agents and other support groups in Australia continue to be inundated with requests for assistance from those wishing to apply for a Humanitarian visa or who have applications pending and are seeking information or updates about their cases. Many have submitted applications in September without receiving an acknowledgement letter. While we understand that priorities and triaging may have delayed the processing of applications, the lack of communication and information provided to applicants and proposers on the status of their applications is causing heightened distress and burden.

The lack of an acknowledgement letter creates significant issues for community members and legal providers. An acknowledgement letter confirms the Department's receipt of the application and provides a reference number for future correspondence. Without it, individual applicants face administrative difficulties in following up their application. Further, lawyers are not able to assist applicants, as they do not have a reference number in which to note in their communication with the Department and do not even know if the application was lodged successfully. The Department should expedite sending acknowledgement letters to all applicants.

In addition, the Department should urgently publish estimates for visa processing and communicate these timeframes to all applicants and to legal providers. While it is understandable that the number of applications has caused significant delays, applicants should be given an estimate of how long their application will take in order to reduce stress and anxiety and provide a realistic expectation for those waiting. Providing an estimate for processing will also allow people to make choices as to their safety in Afghanistan, for example, whether to wait in hiding or try to find temporary safety elsewhere.

Recommendation 2 Urgently send acknowledgement letters

The Department of Home Affairs should urgently provide acknowledgement letters to all applicants from Afghanistan, including their reference number, to assist with ongoing processing and communication.

Publishing prioritisation criteria

RCOA understands there are over 145,000 people from over 30,000 applications from Afghanistan for the Humanitarian Program, with now only 10,000 humanitarian visas over four years allocated to this cohort. As such, we understand that the Department must undertake a needs assessment and prioritisation process in order to approve the most urgent of cases. While we understand that the Department has internal guidelines for such prioritisation, this has not been communicated to applicants or legal providers. Publishing such guidelines will enable applicants to have a realistic expectation as to the outcome of their application and will enable lawyers to properly inform clients of the prospects of success.

The Government has announced an overly broad priority list consisting of:

- former Locally Engaged Employees (LEE) and their immediate family members;
- subclass 449 holders (current and former) and their immediate family members;
- those with enduring links to Australia, such as Afghans who were employed by Australian non-government organisations or who worked on Australian Government funded projects, and Coalition partner LEE and their immediate family; and
- Women and girls, ethnic minorities, LGBTQI+ and other identified minority groups.²

However, such categories are too broad to advise applicants of their chances of success when lodging an application, especially when only 10,000 visas over four years for people offshore are available. With the likelihood of success so low, people must be given realistic expectations regarding their application. For example, “Women and girls, ethnic minorities, LGBTQI+ and other identified minority groups” captures over 18 million people. The Department should provide clear and detailed guidance as to how applications will be prioritised so that individuals can have greater clarity about their chances of a positive outcome and lawyers and migration agents can adequately advise clients.

Without such guidance, many may be waiting years without any knowledge of whether their application will be successful. Family members may choose to stay in regions where their lives are at risk, expecting that they may soon be brought to Australia, while others may flee elsewhere only to later find out their case had a higher likelihood of being considered.

Recommendation 3 Publish priority criteria for Afghan humanitarian applications

The Department of Home Affairs should urgently publish their criteria and guidelines for prioritisation of humanitarian visas for the Afghan cohort, in order to assess applications and their representatives and provide for realistic expectations as to the likelihood of success.

² See, for example, the Minister’s statement on 21 January 2022, available at <https://minister.homeaffairs.gov.au/AlexHawke/Pages/commitment-to-afghanistan-increased.aspx>

Individuals in urgent need of international protection still in Afghanistan

RCOA is aware of a number of individuals who remain at high risk in Afghanistan, including former judges who presided over cases involving Taliban members who have subsequently been released from prisons. While various organisations and individuals have been attempting to escalate cases with the Australian Government, there has been overall a lack of clear process for how cases with an urgent need for protection are identified, assessed and assisted.

RCOA understands that a number of 449 visa holders are still in Afghanistan (or in other countries of first asylum), and their visas are about to lapse or have already lapsed. While the Department extended 449 visas for people already in Australia, they did not do so for those still offshore, created further administrative hurdles for people to be reunited and settle in Australia. While the Department has said that these people should now apply for a Humanitarian visa, this again contributes to the very limited number of places and extended delays in the Humanitarian program. The Department should extend all 449 visas for Afghans until they are able to find safety in Australia.

Individuals who face significant protection risks and are outside Afghanistan

The Australian Government should also re-examine policies which prohibit Afghan refugees from accessing resettlement for those who are outside of Afghanistan, especially those in Indonesia. As we previously highlighted in our initial submission, refugees who registered with UNHCR in Indonesia after June 2014 are excluded from resettlement to Australia. Given the dire circumstances in Afghanistan, and the lack of durable solutions in Indonesia, the 2014 ban on resettlement cannot be justified.

Recommendation 4 End the ban on resettlement for refugees in Indonesia

The Australian Government should end the ban that prevents refugees in Indonesia who registered with UNHCR after 30 June 2014 from accessing resettlement.

Individuals with compelling humanitarian need who have links to Australia

People in Australia seeking to reunite with family members are facing a multitude of visa processing challenges. As well as the lack of communication, updates on progress and the vastly inadequate number of places available compared to demand, policy barriers preventing family reunification where a proposer arrived in Australia by boat remain. These barriers were detailed in our earlier submission.

People applying for partner visas

RCOA has heard many reports of separated family members left without communication or updates regarding their application for a partner visa. There are many partner visa applications that were lodged prior to the Taliban takeover, some still pending dating back seven years or more. To applicants, it is not understandable why these applications are not being prioritised or offered emergency evacuation when they have been waiting for a visa for so long.

Partner visa applicants are also required to undergo health checks that are not waivable, unlike humanitarian visa applicants, a requirement which is incredibly difficult following the fall of Kabul and the lack of infrastructure in Afghanistan. RCOA understands that it is very difficult, if not impossible, to undergo the compulsory biometric tests in Afghanistan, and applicants must undergo these tests in the United Arab Emirates. However, the UAE suspended issuing visas to Afghans in early 2021 and there are no flights available, making this requirement unattainable for partner visa applicants still in Afghanistan.

Further, partner visa applicants are still impacted by Direction 80, as we highlighted in our initial submission. While the Department has communicated to legal providers that they will begin processing applicants affected by Direction 80 later this year, it is not clear how many will be

allocated, given that Direction 80 places applicants who arrived by boat at the end of the queue. The Department should prioritise granting Direction 80 exemptions to Afghan applicants given the extenuating circumstances many now find themselves in.

Recommendation 5 *Facilitate and expedite Partner visa applications*

The Department of Home Affairs should prioritise processing partner visas for Afghan nationals and facilitate identity and medical assessments in order to support applicants to meet these requirements.

Visa processing for Afghan evacuees on 449 visas in Australia

Visa processing for Afghan evacuees in Australia is also significantly delayed, with applicants still waiting for an invitation to apply for a humanitarian, family or skilled visa. Those who were evacuated following the fall of Kabul in August 2021 are currently in Australia on temporary 449 visas. These temporary visas were not intended to be used long term and have caused significant administrative and settlement issues (detailed below). The process for granting subsequent visas for 449 visa holders is flawed and untenable. The delays and invitation process has created additional stress on applicants and stretched the already stressed support sector to respond.

RCOA understands that evacuees on 449 visas were meant to be provided with an invitation to apply for a humanitarian, family or skilled visa in the first few weeks of 2022. However, at the time of writing, this has not occurred. Until they are provided with this invitation under s 91K of the Migration Act, these people must remain on these temporary visas.

RCOA also understand that once evacuees are provided with this invitation, applicants have only seven days to make an application. This timeline is completely inadequate, especially for those who are yet to receive legal representation or migration advice. This is especially difficult for those who may need additional time to provide documents such as qualifications, identity documents and other required evidence. Undoubtedly, many applicants are going to miss this seven day timeline for a variety of reasons, including not receiving the invitation at their correct address, not understanding the invitation because of a lack of English or experience in Australian migration law, or simply because of the overly bureaucratic process for such invitations.

While we understand the Department has committed to giving legal representatives four weeks' notice *before* an invitation is provided, it is unclear if this commitment is extended to all potential applicants, especially those without legal representation. The Department should urgently lift the bar under s 91K and extend the timeline for applications to assist all applicants to make a valid application with all necessary documentation, and in order to obtain appropriate migration advice.

RCOA also understands that the Department intends on interviewing all 449 holders who apply for a Humanitarian visa. This process is unnecessary and will create additional barriers and delays, especially as they have already been evacuated to Australia and cannot return to Afghanistan. The Department should assess the application on the papers and only interview people where applications are lacking in sufficient detail.

Recommendation 6 Urgently invite evacuees on 449 visas to apply for a subsequent visa and extend application timelines

The Department of Home Affairs should prioritise inviting those on 449 visas to apply for a subsequent visa, and extend the timeline that people have to submit the application.

Recommendation 7 Assess humanitarian visa applications on the papers

The Department of Home Affairs should assess all humanitarian applications from 449 holders on the papers and only interview people where applications are lacking in sufficient detail.

RCOA also understand that there are many evacuees who are currently in Australia on 449 visas who have immediate family members who were left behind, including small children and other dependents. Many evacuees had to leave quickly and were not able to bring all their family members with them on evacuation flights. Some evacuees have left children in the care of relatives or community members, often remaining in dangerous circumstances.

Once evacuees in Australia are invited to apply for another visa, they are not able to include those separated family members in their subsequent visa application unless those family members are also on a 449 visa. Without this, separated family members must first apply for and be granted another visa, and only then can they apply to reunite with their family members through the Special Humanitarian Program or the family stream of the Migration Program. This can take years. However, if split family members overseas are put on a 449 visa before those in Australia submit their subsequent application, those split family members can be included on the subsequent visa application, and would be able to come to Australia once the subsequent visa has been granted. It is critical that split family members overseas are urgently provided with a 449 visa so they can be included in the same application.

Australia has obligations to ensure family unity and it is in everyone's interest to facilitate this process quickly. Failure to do so may leave children and other separated family members at risk of harm for many years. RCOA also understands that some 449 visa holders in Australia also have family members who are being held in offshore processing on Nauru. Such a scenario highlights the dysfunctional and inhumane system of Australia's immigration policy.

Recommendation 8 Urgently grant overseas split family members of evacuees 449 visas to facilitate visa application processes

The Department of Home Affairs should urgently identify any overseas split family members of evacuees in Australia and grant them a 449 visa in order to facilitate visa applications to ensure family unity.

3 Capacity, suitability and delivery of settlement programs and support services for Afghans who have arrived in Australia

With regards to settlement support, we acknowledge the unique circumstances facing Afghans who were evacuated very quickly and have begun their settlement journey in Australia in the context of services having to rebuild after significant COVID-related disruptions, during a public health crisis, and on a visa sub-class (449), a visa which adds a layer of complexity to settlement experiences.

Settlement services have responded to this crisis with urgent attention and were able to accomplish a significant feat in a matter of weeks. This is especially true given the context of COVID-19 and the current arrangements under the Humanitarian Settlement Program (HSP) contract. During the pandemic, settlement services had to reduce staff because they did not have funding, as there were few arrivals as a result of border closures. As we have previously highlighted, the funding structure of the HSP contract is inflexible and only provides funding on a fee-for-service basis according to how

many new arrivals HSP agencies support. As such, during COVID-19, many HSP providers lost valuable and experienced staff, as they were not able to fund their ongoing employment.

It is in this context that settlement services were called upon to urgently scale up in order to respond to the Afghan crisis and support new evacuees. Many services had to urgently recruit and train new staff, or allocate staff from other areas of their organisation, in order to rapidly support new arrivals. The fact that settlement services have been able to accomplish this in such a short period of time shows the professionalism and experience of our sector, but also highlights ongoing challenges with the HSP fee-for-services structure that is inflexible and not fit to respond to emergency situations. This experience highlights the need to ensure a minimal allocation of funding to HSP service providers so that they can maintain staff and infrastructure. As we previously warned the Department of Home Affairs at the start of the pandemic, the lack of funding for the sector while borders were closed was likely to have a significant impact on organisations' ability to retain staff, and these organisations would have to spend additional resources hiring and training new staff. Unfortunately, this has played out with the Afghan crisis and contributed to additional strain on the sector.

We support the Settlement Council of Australia's submission highlighting the inflexibility in the current HSP contract and the need to develop mechanisms to maintain core funding during downturns in order to effectively ramp up when required.

Capacity of the settlement sector to accommodate a larger intake

Our recent discussions with settlement service providers reaffirms our recommendation to increase our response to the Afghan crisis and increase our resettlement program. The settlement sector is well placed to handle a larger intake, over 20,000, should the government be willing to adopt our recommendation. As we have highlighted to the Department of Home Affairs every year in their consultations, the sector is more than capable of settling over 20,000 refugees each year, and all that is needed is forward planning and clear communication from the Department regarding arrivals. Indeed, the sector has accommodated over 20,000 resettled refugees in recent years, before the program was cut to 13,750, and we can do it again.

The wider Australian community is also able and willing to welcome more arrivals, as we saw in response to the Afghan crisis. Settlement organisations and other community groups were receiving hundreds of daily offers of help from the community to support new Afghan arrivals. Individuals offered donated good, places to live, and even employment to new arrivals.

Other Government services unprepared

Another key contributor to the difficulties in settling Afghan evacuees quickly has been the lack of resources and preparedness of government services, especially Services Australia. This was compounded by COVID-19 and the lack of in-person services. For example, Services Australia staff were not prepared to efficiently process new applications from 449 visa holders for Centrelink Special Benefit, as well as providing Medicare and Centrelink cards. These delays meant that new arrivals went weeks without proper financial assistance, and many services had to utilise their own resources and the goodwill of the community to provide basic income support. Other services, including schools and English language providers, were also not prepared to take on additional clients.

Issues with 449 visas

The use of 449 visas has not only contributed to a complex and convoluted visa application system but also created many unforeseen administrative issues. For example, 449 visa holders are on a temporary visa, and as such, are not eligible for mainstream Centrelink services, unlike other humanitarian arrivals. Instead, they only have access to Special Benefit, which is a lower payment and more complicated to apply for and process. Further, because evacuees were on temporary visas rather than a permanent humanitarian visa, they were ineligible for a number of federal and state services, especially during the pandemic. For example, 449 visa holders are ineligible to receive bond loans for rental accommodation from many states, and were not eligible for the expanded JobKeeper and JobSeeker payments during the pandemic. This meant their income was

considerably lower than other Australians, pushing many out of the already overstretched rental market.

449 visa holders are also ineligible for government funding for tertiary education, meaning that they would have to enrol and pay for university as international students – creating further barriers for settlement.

While these issues may be sorted out once people are granted a permanent humanitarian visa, this can take months, with people already in Australia for almost six months. The use of 449 visas has delayed successful settlement outcomes and created additional administrative issues for settlement providers.

Housing

Another key issue for this cohort of new arrivals has been the ability to find affordable housing, especially as COVID-19 has created a housing crisis throughout the entire community. Regional areas that were previously cheaper than metropolitan areas have had prices skyrocket due to people moving out from the city. This has meant that many new arrivals have faced significant difficulty in securing long-term affordable accommodation – which they are expected to fund themselves. This is especially difficult given the fact that other Australians in the market have received higher rates of income support during the pandemic (discussed above).

RCOA recommends that a 12-month rental subsidy be provided by the Federal Government to new arrivals to support people to find long-term accommodation while they settle in Australia.

Recommendation 9 Provide a 12-month rental subsidy to new arrivals

The Australian Government should provide a 12-month rental subsidy to new arrivals to support people into private accommodation.

Separated family members

As discussed, many evacuees in Australia have been separated from family members due to the chaos of the evacuation process. Some arrived without immediate family and are separated from children, spouses and other dependents. Until people are reunited, family separation is likely to impact on settlement outcomes. Family separation will cause long lasting impacts on people's ability to settle in Australia and will contribute to further trauma.

The Australian Government must provide an avenue to ensure those who are in Australia and separated from immediate family members are able to reunite quickly. As highlighted above, family members overseas should be provided with a 449 visa to facilitate subsequent visa applications. The Australian Government should also work with other countries and NGOs, including the Red Cross Family Tracing Service, to help those in Australia find loved ones. It is not acceptable to wait until evacuees are granted a humanitarian visa before they are able to sponsor separated family members to come to Australia.

4 Update on the situation on the ground in Afghanistan, including issues relating to the funding and delivery of humanitarian assistance

Overview

The situation in Afghanistan remains dire. The United Nations has called it the worst humanitarian crisis in the world, with a million children likely to die of cold and hunger and 23 million facing acute food shortages. While aid delivery has scaled up since August 2021, Afghans complain of uneven distribution, including distribution to Taliban supporters. The Taliban continued to consolidate power and deepen their campaign of retribution against opponents and minority groups. The Taliban also introduced more repressive social measures, curtailing women's public appearance, announcing rules for men's beards, and maintaining a ban on teenage girls' education. The UN and US Treasury Department instituted humanitarian carveouts to their sanctions regimes to encourage delivery of humanitarian assistance and remittances by the Afghan diaspora. The economy remains hobbled as international banks and businesses remain wary of transactions with Afghan banks for fear of running afoul of sanctions. The ability of Afghans to leave the country has diminished after Taliban curtailed flights out of Afghanistan, and neighboring countries restricted travel and visa issuance. Many Afghans at risk remain trapped and in hiding, often in dire situations.

Humanitarian snapshot

The UN estimates that one million Afghan children could die of cold and hunger this winter, and nearly 23 million people (of an estimated 40 million population) face acute food insecurity, with 8.7 million facing emergency levels of food insecurity, according to the WFP. Nearly 3.5 million Afghans are displaced internally due to conflict, 667,000 of them in 2021 alone.

The UN and its humanitarian partners are seeking US\$5 billion in funding for humanitarian and refugee response in 2022. The UN's Financial Tracking Service shows that Australia has not made a pledge to the humanitarian plan as of late January 2022. The Afghanistan Reconstruction Trust Fund (ARTF), which was the main donor mechanism for supporting the Afghan government before the Taliban, approved \$280 million for humanitarian purposes through UNICEF and the World Food Programme. Although Australia is one of 30 donors to ARTF, it did not authorise its contributions to be channeled as part of this tranche.

In addition to logistical bumps associated with rapid nationwide scaling of aid delivery, Afghans in certain provinces complained about uneven distribution. Women in Kabul and the Hazara ethnic group in Daikundi province protested that Taliban were diverting aid to their own families and supporters.

Taliban governance

The Taliban continue to consolidate power by appointing their own members to government positions in Kabul and in the provinces, including to the hundreds of mid- to high-level positions vacated after the fall of the Afghan republic. Some Taliban governors issued orders formally banning the hiring of non-Taliban. Except in a handful of cases, the Taliban regime in Kabul and the provinces is composed almost entirely of Taliban members, betraying a lack of regard for international calls – including by Australia – to form an inclusive government.

Social policy

Girls aged 13 and above are largely deprived of schooling. University attendance, where possible, remains strictly segregated by gender. The Taliban Ministry for the Promotion of Virtue and Prevention of Vice, which replaced the Ministry of Women's Affairs, issued orders stopping barbershops from trimming or shaving men's beards and prohibited women from traveling or going outside the house without a male companion. It also prohibited public transport from offering rides to women without 'appropriate Islamic hijab.' Together with earlier orders prohibiting women from working in government offices, these rules largely prohibit women from most forms of public participation.

Treatment of the Opposition

The Taliban have waged an ongoing campaign of persecution against ethnic minorities such as Hazaras, Turkmens and Uzbeks, who have been forcibly dislodged from their homes by the thousands in Jawzjan, Faryab, Takhar, Daikundi and Balkh provinces. Taliban have also targeted, in apparent revenge attacks, members of rival tribes in the south, including Kandahar and Helmand. In Kabul, the Taliban have arrested high-profile critics and detained men from the Panjshir province, where there is an armed opposition to the Taliban. The regime also detained activist Tamanna Paryani and her two sisters from their home on 19 January 2022 after they protested against the group. Their whereabouts remained unclear as of 28 January.

Former members of Afghan National Defense and Security Forces (ANDSF) and others associated with the Afghan republic have also been targeted, often taken from their homes, killed and their bodies dumped. While numbers are unknown, Human Rights Watch (HRW) has documented nearly 50 ANDSF killed by Taliban. Anecdotal reports by Afghan citizens and relatives of Taliban targets suggest the number may be in the hundreds, possibly thousands. Alia Azizi, former police official and head of the women's prison in the western province of Herat, went missing after she reported for duty on 2 October 2021. A member of the Hazara community, she is feared abducted by the Taliban.

Seasonal movements of some nomads, known as Kuchis, have extended to areas inhabited predominantly by Hazaras, giving rise to fears that Kuchi livestock might destroy crops, disrupt local communities, and spark ethnic conflict. Some Kuchis have armed themselves for protection over the past 20 years and are emboldened after the return of the Taliban, using pasturelands in some areas that traditionally belonged to settled villagers.

Islamic State Khorasan atrocities

ISK, the Afghan affiliate of ISIS, has targeted government-affiliated individuals in the east and has waged battles with the Taliban in the same region. In Kabul and the north, ISK has waged a highly lethal campaign against Hazara communities, blowing up hospitals, religious centers, schools, and voting centers.

Economic activity, liquidity crisis, and inflation

A dip in economic activity and increase in joblessness has left many Afghan families in difficult financial situations just as they traditionally make big purchases such as firewood, heaters, coal and other necessities at the onset of winter. Citizens have been unable to access their savings deposited in banks, which are facing a liquidity crisis. A run on banks resulted in long queues and the imposition of withdrawal caps, currently at \$400 per week if cash is available. Prices of food, fuel and other consumer goods have spiked as the value of the afghani relative to the US dollar has fallen sharply.

Many in hiding

Former Afghan security officials, members of the judiciary, activists and those associated with the international presence are in hiding as the opportunity to exit Afghanistan narrows. Taliban have slowed evacuation flights by foreign nations to a trickle, and most neighboring countries have severely curtailed the issuance of visas and cross-border travel, essentially trapping many who face possible persecution by the Taliban. Many of those who managed to evacuate to regional countries like Iran, Pakistan and Turkey have been unable to relocate to resettlement countries.

Recommendation 10 Strategically engage the diaspora in Australia

Noting the up-to-date information outlined about the situation on the ground in Afghanistan, the Australian Government should engage Afghan diaspora members in Australia to provide insights and advice on what is happening in the region and how Australia can strengthen its role and response.