



Submission to the Department of Home Affairs

Discussion Paper

Australia's Humanitarian Program 2025-26

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Submitted by

Amnesty International Australia

Contact: Josie Polak, Policy Advisor

Email: josie.polak@amnesty.org.au

Phone: +61 423 170 454

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1. Summary

- 1.1. Amnesty International Australia (AIA) welcomes the opportunity to make a submission to the Department of Home Affairs on Australia's 2025-26 Humanitarian Program.
- 1.2. Over several decades, AIA has witnessed firsthand the situation facing refugees in refugee camps in our Asia Pacific region, as well as urban refugees across the region and beyond. In 2018, 2019 and 2023 AIA researchers were able to document the ongoing crisis facing refugees in the Middle East, Africa and Europe, including a visit to assess the situation facing Rohingya refugees in Cox's Bazar, Bangladesh.
- 1.3. AIA also works closely with NGOs in the region, both on individual cases as well as broader systemic issues. This is often in consultation with the Asia Pacific Refugee Network, of which AIA has been a member of since the groups inception.
- 1.4. AIA has the privilege of attending ongoing consultations with the Department of Home Affairs (DHA) and United Nations High Commission for Refugees (UNHCR), including meeting regularly with Australian and Asia Pacific representatives.
- 1.5. Additionally, AIA maintains ongoing engagement with refugee diaspora communities in Australia and has highlighted cases of significant concern with DHA and UNHCR officials in both Canberra and Geneva. These experiences have provided valuable insights into the challenges facing both refugees in countries of asylum and the challenges facing UNHCR and resettlement countries such as Australia.
- 1.6. It is within this context, supported by findings in UNHCR's *Projected Global Resettlement Needs 2025*¹, that AIA understands the current refugee crisis is unprecedented since the Second World War. In 2025, UNHCR considers that more than 2.9 million refugees will be in need of resettlement.²
- 1.7. AIA has welcomed the increase to the Humanitarian Program to 20,000 under the current Government in 2023-24. However in the 2024-25 Budget, the Government retained the 20,000 Humanitarian Program places, despite its prior commitment to increasing that number to 27,000.³
- 1.8. Given current global need AIA is calling for an increase in the program to at least 30,000 places annually, with an additional 10,000 places for community sponsored and other complementary pathways, as committed to by the current government.
- 1.9. With this noted, AIA's submission will focus on:

¹ UNHCR, *Projected Global Resettlement Needs 2025*, at <https://www.unhcr.org/au/media/projected-global-resettlement-needs-2025>

² Ibid pg. 5

³ Australian Labor Party, August 2023, 'Australian Labor Party National Forum,' p 138, available at, <https://www.alp.org.au/media/3569/2023-alp-national-platform.pdf>

1. The International Context
2. Regional Resettlement in Asia and the Pacific
 - a. Rohingya Refugees
 - b. Afghanistan
3. The Humanitarian Program
 - a. Size of the Program
 - b. Response to crises and emergencies
4. Specific Populations of Concern
5. Alternative Pathways: the Community Sponsorship Program & the Community Refugee Integration and Settlement Pilot

2. Recommendations

2.1. The recommendations in this submission aim to assist in rebuilding Australia's reputation as a leading resettlement country and helping to address the worsening global refugee crisis.

2.2. AIA recommends that the Australian Government:

1. Establish an expanded quota in the humanitarian program for Rohingya refugees out of Bangladesh, and amend criteria for the Skilled Refugee Labour Agreement pilot program to enable Rohingya refugees to access it.
2. Provide 20,000 places for Afghan refugees over four years from 2026, in addition to Australia's regular humanitarian intake, and urgently prioritise and expedite processing existing Afghan refugees' applications, in particular those living in Iran and Pakistan.
3. Increase the offshore Humanitarian Program to 30,000 places per annum as a matter of urgency - the majority being UNHCR referred refugees - with 10,000 additional places for Complementary Protection, and provide at least 10% to unallocated places.
4. De-link the onshore component of the Humanitarian Program from the offshore.
5. Urgently expand visas available for Palestinians fleeing Gaza, enabling family reunion by prioritising people with Australian citizen close family members and those with family in Australia on visas, and facilitate evacuation and safe passage to Australia.
6. Provide permanency for all Palestinians on temporary humanitarian visas in Australia.
7. Develop an emergency visa process providing a consistent, equitable approach to future Australian Government responses to international crises, that offers humanitarian protection and a pathway to permanency if unsafe to return.
8. Resolve the status of people subject to the Fast Track system by granting permanency to all remaining members of the group as soon as practicable.
9. Address the ineligibility for family reunification of RoS holders who have transitioned from TPV or SHEV visas, and develop a separate process to allow this to occur.

10. Provide a greater focus to the Africa region in its resettlement program proportionate to the unprecedented crisis.
11. Adopt community organisation-government partnership strategies to enhance access to resettlement for LGBTQIA+ refugees.
12. Make community sponsorship places additional to Australia's regular humanitarian program intake, and increase places to 10,000 per annum as pledged at the 2023 Global Refugee Forum.
13. Eliminate non-protection related criteria in the Community Sponsorship Program, such as employment status, age, country of origin and English language proficiency.

3. The International Context

- 3.1. As global conflicts escalate, there are record numbers of people displaced - more than 123 million.⁴ This means that resettlement as a durable solution is now more important than ever.
- 3.2. UNHCR estimates approximately 2.9 million refugees will need resettlement in 2025, an increase of half a million compared to 2024, and more than double that of 2021.⁵ This reflects the growing number of refugees worldwide, which increased again from 35.3 million at the end of 2022 to 36.8 million at the end of 2024.⁶
- 3.3. Resettlement and complementary pathways are a vital part of UNHCR's response to protect those most vulnerable., including those facing severe protection risks. Australia's Program must also reflect the priority situations identified by UNHCR which calls on states to redouble efforts to ensure those who need resettlement most have access to it. Australia must respond to this call by ensuring the majority of those coming to Australia are referred by UNHCR through a non-discriminatory process.
- 3.4. UNHCR projects that the Asia region has the highest estimated resettlement need globally, with 776,500 refugees in need of resettling.⁷ This number reflects the significant needs of refugees from Afghanistan and Myanmar. There are 5.8 million people from Afghanistan living as refugees or in refugee-like situations, mainly in Iran and Pakistan, with 558,000 in need of resettlement. Over 1.1 million Rohingya refugees from Myanmar reside in the region, mostly in Bangladesh (129,000) and Malaysia, with an estimated 226,000 refugees needing resettlement.⁸
- 3.5. While Syrian refugees remain the largest refugee population in need of resettlement, AIA notes relevantly for our region, UNHCR's reports on the deteriorating situations in the Asia-

⁴ UNHCR, 'Refugee Data Finder, Accessed 3 August 2025, available at, <https://www.unhcr.org/refugee-statistics/>.

⁵ UNHCR, above n 1, p 5

⁶ UNHCR, Refugee Data Finder, Accessed 3 August 2025, <https://www.unhcr.org/refugee-statistics>

⁷ UNHCR, above n 1, p 5

⁸ UNHCR above n 1, p 6 and p 39

Pacific, with significant resettlement needs for refugees from Afghanistan and Myanmar, and notes these are increasingly protracted situations.⁹

3.6. While Syrian remain the refugee population in need of resettlement, AIA notes deteriorating situations in the Asia-Pacific, with significant resettlement needs for refugees from Afghanistan and Myanmar. The UNHCR notes that its advocacy for the priority situation in Myanmar led to resettlement quotas for Rohingyas increased threefold in 2023.¹⁰

3.7. At the 2023 Global Refugee Forum, the Australian Government made a specific pledge to address this issue, to enhance support for durable solutions, including increasing Rohingya refugee resettlement.”¹¹

4. Regional Resettlement in Asia and the Pacific

4.1 Most countries in the Asia Pacific region are not signatories to the Refugees Convention and as a result, many refugees and people seeking asylum are considered ‘illegal immigrants’ and live a “fragile and tenuous” existence, lacking work rights and freedom of movement and vulnerable to abuse and exploitation. Often forced to live in refugee camps or detention facilities, they have limited access to health, education and justice, and are subject to arbitrary arrest and detention.¹² The region includes some of the most climate-vulnerable countries which means the refugee population in the Asia-Pacific is especially impacted by natural disasters such as floods, cyclones and extreme temperatures.¹³

4.2 The UNHCR says:

*“Asia and the Pacific hosts 15.7 million forcibly displaced and stateless persons, including 7.5 million registered refugees, people in refugee-like situations and asylum-seekers, 6 million internally displaced persons and some 449,000 internally displaced returnees; 219,000 others of concern; and 2.5 million stateless persons (representing over half of the world’s stateless population). The latter figure includes 1.3 million Rohingya who are both stateless and either refugees or internally displaced.”*¹⁴

Rohingya Refugees

4.3 The plight of the Rohingya peoples is well known to the Australian Government. Rohingyas in Myanmar have suffered decades of systematic discrimination, statelessness and brutal campaigns of targeted violence by the military. The UN described the 2017 escalation as textbook ethnic cleansing, and Amnesty International found it amounted to crimes against humanity.¹⁵

⁹ UNHCR above n 1, p 5

¹⁰ UNHCR above n 1, p 13

¹¹ Refugee Council of Australia, ‘Australian Government makes 23 pledges at 2023 Global Refugee Forum,’ 6 February 2024, at, <https://www.refugeecouncil.org.au/australian-government-pledges-at-the-2023-global-refugee-forum/>.

¹² UNHCR, above n 1, p 40

¹³ UNHCR, above n 1, p 40

¹⁴ UNHCR, above n 1, p 39

¹⁵ Amnesty International, “‘We will destroy everything’: Report of the detailed findings of the UN FFM,” June 27 2018, pg. 177-314, available at, <https://www.amnesty.org/en/documents/asa16/8630/2018/en/>

- 4.4 For this reason, over a million Rohingya are refugees, with most having fled to Bangladesh - a country which, while receiving recognition by the international community for hosting such a large group of refugees, is not a signatory to the Refugee Convention.
- 4.5 The vast majority of Rohingya refugees are therefore not formally recognised – they live in flimsy temporary shelters in Cox’s Bazaar, unable to lawfully work, no access to formal education, and subjected to harsh living conditions.
- 4.6 Cox’s Bazar, where most Rohingya refugees live in camps, is often exposed to cyclones, torrential rains, landslides, flash floods, storm surges and extreme temperatures.¹⁶ The influx of refugees has impacted the environment and shared resources shared, leading to higher disaster risk, climate vulnerability and jeopardising the safety of refugees and Bangladeshis.¹⁷ Rohingya refugees also report rising violence in the camps, with kidnappings, abductions and children recruited by armed groups.¹⁸ Their situation requires urgent attention.
- 4.7 People living in the Cox’s Bazaar camps are vulnerable to water-borne and communicable disease outbreaks¹⁹, and the risk of fire, violence or natural disasters is high. Their rights to freedom of movement, access to information and health are frequently violated. An acute shortfall in humanitarian funding by the World Food Program in 2023 made water, hygiene and sanitation tenuous²⁰. Their situation requires urgent attention.
- 4.8 A recent change in US migration policy including President Trump’s announcement of cuts in vital foreign aid, has severely impacted the support system for Rohingya refugees in Cox’s Bazar in all areas from health to food aid to educational programs²¹. In addition, President Trump’s Executive Order cancelling refugee arrivals²² has significantly impacted refugees in Asia²³ including Rohingyas who were approved for US visas and travel. It is now more imperative for Australia to step up its intake and establish a formal quota for Rohingya refugees.

¹⁶ UNHCR, above n 1, pg. 24

¹⁷ Ibid pg. 24

¹⁸ Ibid

¹⁹ Oxfam Australia, 11 November 2024 ‘What is the Rohingya crisis?’, available at <https://www.oxfam.org.au/2024/11/what-is-the-rohingya-crisis/>

²⁰ UN News, ‘UN in Bangladesh announces devastating new round of rations cuts for Rohingya refugees,’ 2023, available at, <https://news.un.org/en/story/2023/06/1137252/>

²¹ The New Humanitarian, 27 February 2025, ‘For Myanmar’s war victims and Rohingya refugees, US aid cuts are disastrous’, at <https://www.thenewhumanitarian.org/news-feature/2025/02/27/myanmar-war-victims-rohingya-refugees-us-aid-cuts>. See also, Amnesty International, 14 March 2025, ‘Bangladesh: International community must act to avoid devastating aid cuts for Rohingya refugees’ at <https://www.amnesty.org.au/international-community-must-act-to-avoid-devastating-aid-cuts-for-rohingya-refugees/>; Human Rights Watch, 25 June 2025, ‘Bangladesh: Foreign Aid Cuts Affect Rohingya Children’s Education’, at <https://www.hrw.org/news/2025/06/25/bangladesh-foreign-aid-cuts-affect-rohingya-childrens-education>; The Guardian, 29 January 2025, ‘UN aid agencies cut back operations after Trump’s 90-day funding suspension’, <https://www.theguardian.com/world/2025/jan/28/un-aid-cuts-trump-funding>

²² Associated Press, ‘Trump administration cancels travel for refugees already cleared to come to America’, available at: <https://apnews.com/article/refugees-flights-trump-immigration-border-resettlement-33ebaa34bc4d0c069a22ee7aa5f8ff6d>

²³ Cato Institute, 27 January 2025, ‘The Indefinite Suspension of All Refugees Is Unjustified’, available at: <https://www.cato.org/blog/indefinite-suspension-refugees-starts-today>

- 4.9 The conditions in Cox's Bazaar camps have led to some refugees requesting to be sent back to their home country Myanmar without any protection measures in place, and many to undertake dangerous journeys to other countries by boat, risking hundreds losing their lives at sea.²⁴ This issue has worsened drastically over the past year.
- 4.10 Save the Children reported in November 2024 a 700% surge in Rohingya refugees arriving by boat in Indonesia compared with the previous year.²⁵ Reports in 2025 indicate this flow is continuing.²⁶ In May 2025, an estimated 427 Rohingya died when two boats sank off the coast of Myanmar – over half were refugees having left Cox's Bazaar camps²⁷. The UNHCR said that nearly 1 in 5 people attempting sea movement in the region were reported dead or missing so far in 2025.²⁸
- 4.11 UNHCR's dashboard of Rohingya Refugee Maritime Movements in Asia and the Pacific estimates that 73 boats have departed from 1 January to 1 July 2025, with 3,402 people, and 457 reported dead or missing in that time.²⁹
- 4.12 Director of UNHCR's Regional Bureau for Asia and the Pacific said, "The dire humanitarian situation, exacerbated by funding cuts, is having a devastating impact on the lives of Rohingya, with more and more resorting to dangerous journeys to seek safety, protection and a dignified life for themselves and their families," and said access to meaningful protection in countries of first asylum is "essential to saving lives".³⁰ She called for the international community to stand in solidarity with countries of first asylum in the region hosting Rohingya refugees.³¹
- 4.13 The international community is working with Bangladesh towards the Rohingya's "early, voluntary, safe, dignified, sustainable repatriation and reintegration to Myanmar". But a 2024 Deakin University study found safe repatriation of the whole Rohingya population would be impossible in the next decade, and even repatriation of the majority not a genuine possibility as it relies on highly unlikely outcomes. MSF says voluntary repatriation is "simply not viable in the short or medium term" as the "root causes for their displacement are yet to be addressed".
- 4.14 It is therefore vital that the international community including Australia steps up and provides durable solutions. The UNHCR identifies **119,300** individuals in Bangladesh in need of resettlement in 2025 – among these a group of **20,000** refugees who fled Myanmar in the early

²⁴ Human Rights Watch, 26 May 2025, '10 Years of Rohingya Refugees Stranded at Sea', at <https://www.hrw.org/news/2025/05/26/10-years-rohingya-refugees-stranded-sea>

²⁵ Save the Children, 4 November 2024, 'Rohingya Refugees Arriving in Indonesia by Boat Surge 700% as Sea Crossings Predicted to Reach a New High This Year', available at <https://www.savethechildren.org/us/about-us/media-and-news/2024-press-releases/rohingya-refugees-arriving-in-indonesia-by-boat-surge-700-percent>

²⁶ UNHCR Situation Report, 29 January 2025, 'UNHCR Indonesia - Emergency Update: Rohingya Boat Arrivals as of 15 January 2025', at <https://reliefweb.int/report/indonesia/unhcr-indonesia-emergency-update-rohingya-boat-arrivals-15-january-2025>; and UNHCR, 6 February 2025, 'More refugees risk dangerous sea journeys from Myanmar as crisis worsens', <https://www.unhcr.org/news/stories/more-refugees-risk-dangerous-sea-journeys-myanmar-crisis-worsens>

²⁷ UNHCR, Press Release, 23 May 2025, 'UNHCR fears extreme desperation led to deaths of 427 Rohingya at sea', at <https://www.unhcr.org/news/press-releases/unhcr-fears-extreme-desperation-led-deaths-427-rohingya-sea>

²⁸ Ibid

²⁹ Available at UNHCR, Operational Data Portal, at <https://data.unhcr.org/en/situations/myanmar>

³⁰ Hai Kyung Jun, Director of UNHCR's Regional Bureau for Asia and the Pacific, cited above n 37.

³¹ Ibid

1990s due to serious human rights violations and are unable to return, including women at risk, survivors of violence and torture, and separated children.³² They are particularly vulnerable.

4.15 While the US committed to a minimum of 8,000 places each year, Australia ran a 50-person resettlement pilot for Rohingya from Bangladesh in 2022-23. AIA welcomed the Australian Government's commitment to increase Rohingya resettlement at the 2023 Global Refugee Forum, but Australia did not commit to a specific figure as hoped. AIA strongly encourages the Australian Government to establish a formal quota for Rohingya refugees in this Budget of at least 1,000 places.

4.16 The Government should also consider extending and expanding Australia's Skilled Refugee Labour Agreement pilot (SRLAP) as another pathway available to Rohingya refugees. This can be used by endorsed Australian employers to sponsor an approved skilled overseas worker on a permanent or temporary basis.³³ The Government should ensure that it – and other similar programs - is additional to the Humanitarian Program. It should also make exceptions in the program, like Canada has done, to recognise volunteer work. This would enable Rohingya refugees who are working voluntarily to meet eligibility criteria and engage in the program.

Recommendation 1: Establish an expanded humanitarian quota for Rohingya refugees out of Bangladesh, and amend criteria for the Skilled Refugee Labour Agreement pilot program to enable Rohingya refugees to access it.

Afghanistan

4.17 Four years on from when the Taliban seized power in Afghanistan, committing human rights abuses and international law violations with absolute and zero accountability. The Taliban have created the world's most serious women's rights crisis³⁴.

4.18 The Special Rapporteur and Working Group on discrimination against women and girls found that "the pattern of large-scale systematic violations of women's and girls' fundamental rights in Afghanistan, abetted by the Taliban's discriminatory and misogynist policies and harsh enforcement methods, constituted gender persecution and an institutionalised framework of gender apartheid."³⁵

4.19 In 2025 there was a sharp increase in reports of gender-based violence.³⁶ Shi'a Hazara people were systematically targeted in attacks and killings, and the Taliban marginalized ethnic

³² Above n. 1, pg. 44

³³ Department of Home Affairs, 'Skilled Migration Program,' accessed 18 January 2024, available at, <https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes/skilled-refugee-labour-agreement-pilot-program>

³⁴ Human Rights Watch, 11 August 2024, 'Afghanistan: Taliban Tighten Grip 3 Years into Rule', available at <https://www.hrw.org/news/2024/08/11/afghanistan-taliban-tighten-grip-3-years-rule>

³⁵ Ibid p 2.

³⁶ Amnesty International, April 2025, *The State of the World's Human Rights*, p 71, at <https://www.amnesty.org/en/documents/pol10/8515/2025/en/>

minorities from political participation, access to public services and humanitarian assistance.³⁷

4.20 The Taliban takeover has created one of the world's worst humanitarian crises.³⁸ Afghans make up one of the largest refugee populations globally, and aid is underfunded with only 47% per cent of the funding required provided so far.³⁹ In neighboring countries Iran, Pakistan, Tajikistan, Uzbekistan and Turkmenistan there are over 5.26 million Afghans registered as refugees, seeking asylum or living in refugee-like situations⁴⁰. This number is likely to be even higher as not all refugees are able to register themselves with UNHCR.

4.21 While Australia provided 31,500 places over 4 years in its Humanitarian and Family Reunion Programs for Afghan refugees, and an additional 16,500 places were announced in the 2022-23 Budget,⁴¹ we note that these will cease in 2026, and the current Australian Government is yet to make any additional commitments.

4.22 Along with other organisations and the diaspora community, AIA has consistently called for an additional 20,000 places to be made available to Afghan refugees, including in our submission to the 2025-26 Federal Budget. To implement this, the Australian Government would need to commit to providing an additional 3,500 places for Afghan refugees to be made available in addition to the regular Humanitarian Program from 2026.

4.23 Increasing Australia's commitment would align with comparable countries such as Canada, who made 40,000 places available to people from Afghanistan, most in addition to its regular resettlement quota. This approach is supported by UNHCR's position that responses to the crisis in Afghanistan should be in addition to existing commitments.⁴²

4.24 We emphasise the increased urgency of the situation for Afghans. Given the repressive regime and risk for women under the Taliban rule, visas for Afghan women at risk should be prioritised as part of this number, and they should be allowed to apply without having family connections, as is presently required for a humanitarian visa.

4.25 It is also vital that the over 220,000 applications made by Afghan nationals for protection and resettlement to Australia be prioritised and urgently expedited. Pakistan and Iran are carrying out a program of mass deportation of Afghan refugees, and thousands have been returned to Taliban-ruled Afghanistan where their life and physical integrity is at risk amidst an intensified crackdown on human rights and an ongoing humanitarian catastrophe.⁴³

³⁷ Ibid p 70-71

³⁸ Human Rights Watch, above n 41.

³⁹ UN *Afghanistan 2024 Humanitarian Needs Response Plan* at <https://humanitarianaction.info/plan/1185>

⁴⁰ UNHCR Operational Data Portal, Afghanistan situation, at <https://data.unhcr.org/en/situations/afghanistan>

⁴¹ Minister for Foreign Affairs, 'Anniversary of the fall of Kabul,' 2022 available at <https://www.foreignminister.gov.au/minister/penny-wong/statements/anniversary-fall-kabul>.

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⁴³ Amnesty International, 'Pakistan: Halt mass detentions and deportations of Afghan refugees,' 2023, available at, <https://www.amnesty.org/en/latest/news/2023/11/pakistan-halt-mass-detentions-and-deportations-of-afghan-refugees/>

4.26 This has been occurring for several years but recently accelerated in Pakistan in April⁴⁴ and in Iran in July⁴⁵, following the Iran-Israel conflict. UN experts said: “The scale is staggering: more than 1.9 million Afghans have returned or been forced to return to Afghanistan from Iran and Pakistan so far in 2025”.⁴⁶ The UN is reporting over 1.5 million Afghan nationals including those with valid documentation have been deported from Iran, with 410,000 deported since 24 June, and more than 300,000 were deported from Pakistan. Thousands of these are unaccompanied children.⁴⁷

Recommendation 2: Provide 20,000 dedicated places for Afghan refugees over four years from 2026, in addition to Australia’s regular humanitarian intake, and urgently prioritise and expedite processing existing Afghan refugees’ applications, in particular those living in Iran and Pakistan.

5. The Humanitarian Program

Size and Composition of the Program

- 5.1. In our previous submissions, AIA has highlighted the need for Australia to increase Australia’s offshore Humanitarian Program. As we have noted above, the world is facing unprecedented numbers of displaced people and refugees in need of resettlement.
- 5.2. AIA recognises the important role Australia has played in resettling vulnerable refugees through the offshore component of the Humanitarian Program. It is positive that program places have increased since the historically low intake in 2020-21. However we note that the 20,000 places set as a target for 2025-26 has been stagnant since set in 2023-24, despite the climb in global refugee displacement and resettlement needs over the last three years.
- 5.3. We believe Australia has a responsibility to be doing far more, including increasing its intake relative to the growing global need and significant situations in our region highlighted by the UNHCR. We must also view Australia’s 20,000 target intake in relative terms – for example this intake is very modest compared to Canada’s resettlement of over 51,000 refugees in 2023.⁴⁸ Australia’s refugee recognition and resettlement ranked 41st per capita and 77th

⁴⁴ See Al Jazeera, 15 April 2025, ‘Pakistan accelerates deportation of Afghans: UN’, at <https://www.aljazeera.com/news/2025/4/15/pakistan-accelerates-deportation-of-afghans-un>; BBC, 20 April 2025, ‘Pakistan expels tens of thousands of Afghans’, at <https://www.bbc.com/news/articles/c74z19pl7wgo>; and Amnesty International, 25 June 2025, ‘Pakistan: 1.4 million Afghan refugees at risk of deportation’ at <https://amnesty.ca/urgent-actions/pakistan-1-4-million-afghan-refugees-at-risk-of-deportation/>

⁴⁵ Al Jazeera, 22 July 2025, ‘Inside Iran’s crackdown on Afghan migrants after the war with Israel’, at <https://www.aljazeera.com/news/2025/7/22/inside-irans-crackdown-on-afghan-migrants>; The Guardian, 7 July 2025, ‘They threw us out like garbage’: Iran rushes deportation of 4 million Afghans before deadline’, at <https://www.theguardian.com/global-development/2025/jul/07/iran-rushes-deportation-4-million-afghans-deadline-women-repression>.

⁴⁶ UN Media Centre, 18 July 2025, ‘UN experts appalled by mass forced returns of Afghan nationals’, at <https://www.ohchr.org/en/press-releases/2025/07/un-experts-appalled-mass-forced-returns-afghan-nationals>

⁴⁷ Ibid

⁴⁸ Refugee Council of Australia, 19 June 2024, ‘Refugees Protected in Australia at 7-Year High, UNHCR Data Shows’, at <https://www.refugeecouncil.org.au/refugees-protected-in-australia-2023/>.

relative to GDP when analysed over ten years. In terms of global need, Australia's response in this period made up 0.75% of the global total of refugees recognised or resettled.⁴⁹

- 5.4. AIA notes that the Government's commitment in its National Platform to increase Australia's humanitarian intake to 27,000 places per annum has not yet been met. There is an opportunity in the coming year to do so. AIA urges the Australian Government to commit to increasing the Humanitarian Program to 30,000 places as a matter of urgency, ensuring that 10,000 Complementary Protection places are additional to this quota.
- 5.5. As a key resettlement country with a long history of successful resettlement, it is crucial that Australia continues to play a leading role in the broader global response. As well as growing the Humanitarian Program, a central reform needed to achieve this is to break 25-year old linking of the onshore component from the offshore component.
- 5.6. As we have previously noted, if a person is found to be in need of protection in Australia, Australia is obliged under international law to grant them protection. The decision whether to issue a meritorious applicant a protection visa should not be offset against the needs of vulnerable refugees who require resettlement from overseas. The artificial linking of these two distinct protection methods was initiated by the Howard Government in 2016⁵⁰, and has had a considerable negative impact on Australia's ability to provide protection to both those it has an obligation to and those it has made a commitment to internationally.
- 5.7. Australia is the only resettlement country to numerically link these programs. The negative impacts of linking them include creating arbitrary delays for onshore protection applications, as well as undermining Australia's ability to maximise places for those offshore. Delinking them will allow the processing backlog of onshore protection visa applications to be addressed, and for visas to be issued where claims are meritorious, rather than a numerical assessment. It should be a priority of the Australian Government to de-link the two programs.
- 5.8. The UNHCR also emphasises the importance of providing unallocated quotas and notes the Global Compact on Refugees called on States to dedicate at least 10% of their resettlement capacity to unallocated places to allow for flexible application for emergency or other cases.⁵¹
- 5.9. AIA supports this, and also believe that Australia must continue to develop appropriate responses to the regional refugee crises in Myanmar, Afghanistan and neighbouring countries hosting Rohingya and Afghan refugees, as well as to the current conflict in Gaza.

⁴⁹ Refugee Council of Australia, 'IS AUSTRALIA'S RESPONSE TO REFUGEES GENEROUS? An analysis of UNHCR Global Trends statistics from 2013 to 2022', at <https://www.refugeecouncil.org.au/wp-content/uploads/2023/08/Global-Trends-2013-22.pdf>

⁵⁰ Refugee Council of Australia, 6 June 2023, 'Breaking the link between onshore protection and offshore resettlement', at <https://www.refugeecouncil.org.au/breaking-the-link/>

⁵¹ UNHCR above n 1, p 16

Recommendation 3: Increase the offshore Humanitarian Program to 30,000 places per annum as a matter of urgency - the majority being UNHCR referred refugees - with 10,000 additional places for Complementary Protection, and provide at least 10% to unallocated places.

Recommendation 4: De-link the onshore component of the Humanitarian Program from the offshore component.

Response to crises and emergencies

- 5.10. AIA commends the Australian Government's approach to assisting people fleeing Ukraine, but it must be noted that the same approach was not taken to refugees from Afghanistan, where there is a greater need for protection and resettlement, not to mention demand. It is important to note though, that Afghans who have subsequently arrived in Australia through the Humanitarian Program have had access to settlement support and are on permanent visas. While those Ukrainians who initially arrived on tourist visas, remain on temporary visas.
- 5.11. We acknowledge and support the move to offer Ukrainians permanent Resolution of Status visas, though note that there remain over 1,800 people still to be considered for RoS. Unfortunately the approach employed to assist Ukrainians fleeing Russia's attack was not repeated for those seeking to flee the Israel's bombardment and blockage of aid in Gaza.
- 5.12. Our submission to the 2024-25 Humanitarian Program paper highlighted issues with Australia's initial response, including lack of timeliness in response, bureaucratic hurdles to Visitor Visa applications, costs, family separation, and a high number of visa refusals based on failure to meet genuine temporary stay criteria. Despite the commendable use of flexible and rapid visa responses in Ukraine, these issues for people fleeing Gaza have highlighted the problems with Australia's emergency response, including visa criteria that are difficult to meet for people fleeing humanitarian crises, and underscored the need for consistent, non-discriminatory responses.
- 5.13. There was a significant delay after Palestinians began to arrive in Australia on visitor visas, and little clarity on their rights to apply for other visas or stay longer, and no access to supports. This treatment differed significantly from that of Ukrainians who arrived previously. AIA nevertheless commends the Government for having now moved Palestinians in Australia onto Temporary Humanitarian Concern (subclass 786) visas, commencing late in 2024.
- 5.14. We note that these visa holders still have no pathway to permanency, and whilst they have access to government supports, they are still constrained by their temporary status, including inability to sponsor family members for reunion, to travel, or to engage in tertiary study. The Australian Government has made no commitment as to whether these visa holders will also

be offered Resolution of Status at the expiration of their Temporary Humanitarian Concern visas.

- 5.15. AIA reiterates its position against deliberate long-term temporariness given the evidence of the harm it causes. We oppose the perpetuation of different ‘classes’ of residents with different sets of rights.
- 5.16. Further, many Palestinians seeking to flee still remain trapped in Gaza, including people with Australia citizen close family members, or family members already in Australia on visas. They are unable to obtain visas or assistance with safe passage and evacuation, to reunite with family. Australia has a moral obligation to assist. The Government must make visas available for these family members, and provide consular, diplomatic and other assistance to ensure the safe passage and evacuation of valid Australian visa holders out of Gaza.
- 5.17. To ensure fairness, consistency and equity in its responses to urgent situations, AIA’s view is that Australia must establish a process for additional emergency intakes when crises like those we are seeing now occur, built on the foundations of equity and non-discrimination.
- 5.18. The UNSW Andrew and Renata Kaldor Centre has proposed an Emergency Visa Framework to address the issues of Australia’s response to crises and emergencies.⁵² Their briefing⁵³ sets out the varied responses of Australia’s Governments over time to emergency and crisis situations, and the pitfalls or complexities of each of these, and then proposes that the Government develop a more durable solution.
- 5.19. The Kaldor Centre’s proposal is for a temporary humanitarian visa that would enable individuals to travel to Australia and stay, with settlement supports, for 12 months. If safe to return to their home country after this time they would be assisted to do so, and if not, there would be a pathway to permanency⁵⁴ AIA notes the deep expertise of the Kaldor Centre team and supports this proposal. We urge the Government to engage with the proposal in the briefing and consider developing such a response.

Recommendation 5: Urgently expand visas available for Palestinians fleeing Gaza, enabling family reunion by prioritising people with Australian citizen close family members and those with family in Australia on visas, and facilitate evacuation and safe passage to Australia.

⁵² The Kaldor Centre, 11 September 2024, ‘Kaldor Centre calls for new visa to protect people in humanitarian emergencies’, at <https://www.unsw.edu.au/news/2024/09/kaldor-centre-calls-for-new-visa-to-protect-people-in-humanitari>

⁵³ The Kaldor Centre, *Ensuring protection in humanitarian emergencies: A framework for Australia*, POLICY BRIEF 15, September 2024, at <https://www.unsw.edu.au/content/dam/pdfs/law/kaldor/2024-09-policy-brief-15-emergency-protection.pdf>

⁵⁴ The Kaldor Centre, 11 September 2024, ‘Kaldor Centre calls for new visa to protect people in humanitarian emergencies’, at <https://www.unsw.edu.au/news/2024/09/kaldor-centre-calls-for-new-visa-to-protect-people-in-humanitari>

Recommendation 6: Provide permanency for all Palestinians on temporary humanitarian visas in Australia

Recommendation 7: Develop an emergency visa process providing a consistent, equitable approach to future Australian Government responses to international crises, that offers humanitarian protection and a pathway to permanency if unsafe to return.

6. Addressing the legacy of Fast Track and temporary visas

- 6.1. While 19,000 people on SHEVs and TPVs have been transitioned to permanent visas, there still remain approximately 7,000 people who were rejected for protection under the now defunct 'Fast Track' refugee processing system. This punitive, arbitrary system commenced in 2013 as a deterrent to people seeking asylum arriving by boat, was characterised by a lack of procedural fairness, limited merits review, excessive delays and decision errors.⁵⁵ The Labor Party promised in its National Platform to abolish Fast Track if elected, as it "does not provide a fair, thorough and robust assessment process for persons seeking asylum"⁵⁶
- 6.2. However, despite the system being formally abolished in 2024, people subject to poor decisions made under the system remain without a remedy and importantly, have no pathway to any permanent visas. People subjected to Fast Track have now spent over a decade living and working in Australia but continue to live in limbo with uncertain futures. They exist on Bridging Visas which must frequently be renewed, and their rights to work, study and health are impacted. As temporary residents they are unable to sponsor and reunite with their families.
- 6.3. The harm that long-term temporariness and uncertainty causes has been documented.⁵⁷ In Australia, research on the impact of Fast Track found that those asylum seekers experience "complex seemingly insurmountable mental health crises including deepening mental distress and deterioration, feelings of hopelessness, defeat and entrapment" and reported "compelling examples [of] a direct connection between asylum seekers experiencing uncertainty and

⁵⁵ Kaldor Centre for International Refugee Law, 'Fast Track' Refugee Status Determination', June 2022, <https://www.unsw.edu.au/content/dam/pdfs/unsw-adobe-websites/kaldor-centre/2023-09-research-briefs/2023-09-Research-Brief-Fast-track-final.pdf>; Asylum Seeker Resource Centre, 'Briefing paper - People failed by Fast Track', September 2024, <https://asrc.org.au/wp-content/uploads/2024/09/Briefing-paper-People-failed-by-Fast-Track.docx.pdf>; Amnesty International Australia, 'Fast Track Explained', 1 April 2025, <https://www.amnesty.org.au/fast-track-explained/>.

⁵⁶ Australian Labor Party, ALP National Platform, As Adopted at the 2021 Special Platform Conference, <https://alp.org.au/media/2594/2021-alp-national-platform-final-endorsed-platform.pdf>

⁵⁷ See Elizabeth Newnham et al, 'The Mental Health Effects of Visa Insecurity for Refugees and People Seeking Asylum: A Latent Class Analysis' (2019) 64(5) International Journal of Public Health 763; Mary Anne Kenny, Carol Grech, and Nicholas Procter, 'A Trauma Informed Response to COVID-19 and the Deteriorating Mental Health of Refugees and Asylum Seekers with Insecure Status in Australia' (2022) 31(1) International Journal of Mental Health Nursing 62; Anna Ziersch et al, 'Temporary Refugee and Migration Visas in Australia: An Occupational Health and Safety Hazard' (2021) 51(4) International Journal of Health Services 531.

deteriorating mental health over time with fluctuations in hopelessness, anger, withdrawal and suicidality. These negative impacts were often compounded by separation from family.”⁵⁸ The mental health of this group has been severely impacted and tragically, there have been a number of suicides.⁵⁹ Many face the prospect of indefinite separation from loved ones; or of being forcibly returned to the country from which they fled.

- 6.4. The Government must address this situation urgently. While AIA notes that some cohorts of this group are being considered for permanent visas⁶⁰, these are limited and the process is moving too slowly, given the over a decade wait people have already endured. We urge the Australian Government to accelerate consideration of the remainder of people subject to Fast Track and resolve their uncertain situations as soon as practicable by providing permanency.
- 6.5. AIA is also concerned about the continuing bar on eligibility for people previously classified as ‘Unauthorised Maritime Arrivals’, who now hold RoS visas, to sponsor their families through the Community Support Program or the Special Humanitarian Program. We note the damage years of family separation causes and that RoS holders have already been subject to many years of temporariness, leading to dire mental health impacts.
- 6.6. We also note that Australia’s refusal of access to family reunion to this group of people condemns thousands of women and children to live in indefinite limbo in hostile, often life threatening, environments; and undermines successful settlement for RoS visa holders, who must continue to send money overseas to support family members indefinitely trapped there.
- 6.7. AIA does not believe when announcing an end to the cruel policy of temporary visas and moving TPV and SHEV holders onto permanent visas, that the Australian Labor Party intended to continue to keep refugees permanently classified as second class citizens, without access to the same rights as others. AIA welcomes initiatives from the Government to ensure all permanent residents have equal access to bring their family members to safety.
- 6.8. AIA previously proposed that the Australian Government consider adjusting regulations that may be interpreted as prohibiting RoS recipients from acting as sponsors. AIA also supports the Refugee Council of Australia’s (RCOA) recommendation that the Government should

⁵⁸ Kenny, M.A., Procter, N. and Grech, C., ‘Mental deterioration of refugees and asylum seekers with uncertain legal status in Australia: Perceptions and responses of legal representatives’ *International Journal of Social Psychiatry*. 2023 Aug; 69(5): 1277–1284 at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10338704/>

⁵⁹ See ABC News, ‘Grief and shock in Melbourne after Tamil asylum seeker dies by self-immolation’, 28 August 2024, <https://www.abc.net.au/news/2024-08-28/tamil-asylum-seeker-self-immolates-melbourne-protest/104281638>; Kenny, Mary Anne, ‘Trauma, mental health and the fast track assessment caseload’, *Refugee Research Online*, 12 June 2015, <https://refugeereseearchonline.org/trauma-mental-health-and-the-fast-track-assessment-caseload/>; M.A. Kenny and N. Procter, ‘The fast track refugee assessment process and the mental health of vulnerable asylum seekers’, *Psychiatry, Psychology and Law* Vol.23(1), pp.62-6 2015, <https://doi.org/10.1080/13218719.2015.1032951>

⁶⁰ People who arrived: as unaccompanied minors; as children with their families; in 2010 or earlier; people who have potential changes in country circumstances that might give rise to new protection claims; other individuals who may have migration visa pathways as well - per Home Affairs evidence given in Senate Legal and Constitutional Affairs Legislation Committee, 24 February 2025, *Additional Estimates*, p105, at https://www.aph.gov.au/Parliamentary_Business/Senate_estimates/legcon/2024-25_Additional_estimates.

develop a separate process for refugees who have transitioned from a TPV or SHEV onto permanent visa who wish to sponsor their family members.

Recommendation 8: Resolve the status of people subject to the Fast Track system by granting permanency to all remaining members of the group as soon as practicable.

Recommendation 9: Address the ineligibility for family reunification of RoS holders who have transitioned from TPV or SHEV visas, and develop a separate process to allow this to occur.

7. Specific Populations of Concern

7.1. As per previous submissions, AIA believes the Humanitarian Program has the capacity to target a number of specific at-risk populations, in addition to its longstanding commitment to Women at Risk (a commitment that AIA continues to strongly support).

LGBTQIA+ refugees

7.2. Australia can do more to assist those fleeing persecution based on their LGBTQIA+ status. As previously raised, in AIA's view Australia should adopt strategies from Canada to enhance access to its refugee resettlement program to ensure those at risk can be provided a safe haven. Canada has effectively collaborated with local LGBTQIA+ organisations through a trusted partner referral process, where local Canadian organisations specialising in helping LGBTQIA+ individuals escape persecution can refer applications for resettlement to Immigration, Refugees and Citizenship Canada (IRCC).

7.3. In Uganda the Canadian Government has partnered with local organisations to confidentially refer a limited number of applications by people who face persecution under the Anti-Homosexuality Law over a multi-year resettlement program. Similar approaches have been applied to other countries for IDPs, refugees, and stateless people. These provide a model that Australia can emulate to improve its resettlement efforts.

7.4. This partnership model helps distribute the workload and reduces the reliance on government resources for verifying and vetting cases. In Canada, organisations handle in-country vetting against Canadian immigration requirements, verification, and application compilation, allowing the IRCC to focus on processing applications, conducting interviews, and issuing visas as needed. Some of these pathways operate independently of UNHCR referrals or registration requirements.

7.5. By forming similar community organisation-governmental partnerships both in Australia and in refugee producing states, Australia could create effective, tailored, streamlined and secure pathways for LGBTQIA+ refugees, and others in urgent need.

Refugees from the Africa region

- 7.6. While we highlight specific needs of Afghan and Rohingya refugees and those fleeing Gaza above, we also continue to encourage the Australian Government to increase its intake of refugees from Africa. UNHCR continues to identify the Central Mediterranean Situation as one of its priorities. Over 780,000 refugees are estimated in need of resettlement from Africa, with the ongoing crisis in Sudan leading to significant increase of resettlement need.⁶¹
- 7.7. AIA notes that 14.6 per cent of the program went to refugees from the Africa region for the 2023-24 program⁶², a share unchanged from the previous year⁶³. The crisis in Sudan, where since 2023 over 12.9 million people have fled their homes makes it now the largest displacement crisis ever recorded.⁶⁴ People remaining face killings, violence and other conduct amounting to war crimes and potentially, crimes against humanity.⁶⁵
- 7.8. Over half the population is in need of urgent humanitarian and protection assistance, including 16 million children, and acute food insecurity is at historic levels, with famine conditions in North Darfur and millions at immediate risk of famine.⁶⁶ On top of the protracted and new crises, there is increased pressure caused by new forced displacement, climate change and economics in the region⁶⁷. This increases the urgency for Australia to step up its resettlement intake of at-risk refugees from Africa.

Recommendation 10: Provide a greater focus to the Africa region in its resettlement program proportionate to the unprecedented crisis.

Recommendation 11: Adopt community organisation-government partnership strategies to enhance access to resettlement for LGBTQIA+ refugees.

⁶¹ East and Horn of Africa and Great Lakes region, and West and Central Africa: UNHCR above n 1, p 6

⁶² Department of Home Affairs, 2023–24 Humanitarian Program Outcomes, at <https://www.homeaffairs.gov.au/research-and-stats/files/aus-offshore-humanitarian-program-2023-24-glance.pdf>

⁶³ Department of Home Affairs, 2022–23 Humanitarian Program Outcomes, at <https://www.homeaffairs.gov.au/research-and-stats/files/australias-ohp-2022-23.pdf>

⁶⁴ Amnesty International, 27 March 2025, 'Sudan: Two years of conflict in Sudan marred by global failure to protect civilians', <https://www.amnesty.eu/news/sudan-two-years-of-conflict-in-sudan-marred-by-global-failure-to-protect-civilians/>; Amnesty International Australia, 16 July 2025, 'Sudan: Life-saving aid must reach the people caught between the rains and conflict', at <https://www.amnesty.org.au/sudan-life-saving-aid-must-reach-the-people-caught-between-the-rains-and-conflict/>

⁶⁵ Amnesty International, 27 March 2025, above n 93

⁶⁶ UN Office for the Coordination of Humanitarian Affairs, 31 December 2024, 'Sudan Humanitarian Needs and Response Plan 2025 - Executive Summary (December 2024)', <https://reliefweb.int/report/sudan/sudan-humanitarian-needs-and-response-plan-2025-executive-summary-december-2024-enar>

⁶⁷ UNCHR above n 1, p 6.

8. Alternative Pathways: the Community Sponsorship Program & the Community Refugee Integration and Settlement Pilot

- 8.1. As noted previously, a functional private sponsorship scheme would enable the wider Australian community to take a practical and meaningful role in helping with the settlement of humanitarian migrants and will deliver a wide range of benefits to newcomers as well as the Australian community more broadly.
- 8.2. Our experience combined with data, indicate that this would deliver a range of benefits to newcomers to Australia; enrich civic life and foster social cohesion in communities; and build awareness and support in the Australian public for the humanitarian migration program; while expanding the number of refugees with the opportunity to rebuild their lives in safety.
- 8.3. Thus, AIA welcomed reforms to the Community Sponsorship Program (CSP) which reduced excessive administrative burden and cost for those wanting to sponsor and welcome refugees into their communities. In line with our other recommendations on non-discrimination, as previously raised, the Government must eliminate non-protection related criteria such as employment status, age, country of origin and English language proficiency from the CSP.
- 8.4. Like the SHP discussed above, the CSP as a 'named' sponsorship program risks becoming a de-facto family reunion program, with additional costs and without support provided to those arriving under the SHP. The Government must consider how this scheme can include more members of civil society (per the Canadian system) to lessen the burden on refugee sponsors and ensure the program's benefits are accessible to the broader Australian community.
- 8.5. Beyond the CSP, whose reform AIA welcomed in 2021, Australia has two other mechanisms for a citizen or permanent resident to sponsor a refugee or individual in need of protection: the Special Humanitarian Program, and the Community Refugee Integration and Settlement Program (CRISP).
- 8.6. AIA welcomed the announcement that the CRISP pilot has been made a permanent program⁶⁸ with an initial 200 places announced in 2026-27.⁶⁹
- 8.7. The CRISP has the benefit of ensuring that refugees sponsored are those identified by UNHCR as in the greatest need of resettlement, and enabling the broader community to play a leading role in sponsoring and supporting newly arrived refugees. We urge the Government to increase access by expanding the number of places offered in this program in future.

⁶⁸ Amnesty International Australia, 28 February 2025, 'Community-led refugee program is here to stay – thanks to your support', at <https://www.amnesty.org.au/community-led-refugee-program-is-here-to-stay/>

⁶⁹ <https://immi.homeaffairs.gov.au/settling-in-australia/helping-refugees/get-involved/community-refugee-integration-settlement>

8.8. However, AIA remains concerned CSP and CRISP places are included in the humanitarian intake. These must be made 'additional' to avoid appearing to take places from that program, and discouraging members of the Australian community from engaging in sponsorship.

Recommendation 12: Make community sponsorship places additional to Australia's regular humanitarian program intake, and increase places to 10,000 per annum as pledged at the 2023 Global Refugee Forum.

Recommendation 13: Eliminate non-protection related criteria in the Community Sponsorship Program, such as employment status, age, country of origin and English language proficiency.

9. Conclusion

- 9.1. As the situation in our region - particularly in Myanmar and Afghanistan - worsens, the Australian Government must urgently increase the Humanitarian Program to 40,000 places (including 10,000 sponsorship places), and ensure there is additionality for specific crises, with a responsive process underpinned by the principle of equity and non-discrimination.
- 9.2. AIA welcomes the Government's prior commitment to grow the program to 27,000 and make community sponsorship additional, however we believe Australia can be more ambitious, both with regards to humanitarian resettlement numbers and also by taking a leadership role in addressing the refugee crisis in our region.
- 9.3. Further, while recent changes to Australia's approach to community sponsorship are welcomed, to ensure its continued success, further reform is needed to increase the scope of the CSP and CRISP, and improve access by removing non-protection related criteria. These programs must also be in addition to Australia's regular program to ensure the Australian Government is not merely passing the buck on its responsibilities.
10. In doing this, the Australian Government can rebuild Australia's reputation as a leading resettlement country and help address the worsening global refugee crisis.