



ISLAMIC COUNCIL OF VICTORIA

**Submission to the Department of Home
Affairs on the 2024-2025 Humanitarian
Program**

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The Islamic Council of Victoria (ICV) welcomes the opportunity to make a submission to the Department of Home Affairs on the 2024-2025 Humanitarian Program. As the peak representative body for Muslims in Victoria, the ICV's mission is to protect and advance the rights of its constituents wherever they may be, or whatever their connection to Australia. The majority of Australia's asylum seeker and refugee intake are Muslims. The ICV is committed to promoting the protection of human rights of refugees and asylum seekers, no matter their country of origin. However, with the outbreak and deterioration of a number of dire humanitarian crises across the world in recent months, we are particularly concerned with ensuring the safety and security of those needing to escape active conflict zones. It is from this perspective that we write this submission.

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Part 1: Key Issues

i. Humanitarian Program Places

The ICV appreciates that the 2024-25 Discussion Paper acknowledges the increasing need for global resettlement efforts, and Australia’s commitment to making a positive and proportionate contribution to these efforts. We emphasise that according to the UNHCR, more than 110 million people were displaced globally at the end of the last financial year,¹ and this number has only increased since with the deterioration of many humanitarian crises globally including in Gaza, Sudan, Congo and many more.

For this reason, it is regrettable that the 2024-2025 Humanitarian Program did not increase the offshore intake from the previous year, despite calls from advocacy groups to do so. The ICV fully supports the Refugee Council of Australia’s calls to honour the Labor Party’s 2021 promise of increasing the Humanitarian Program’s intake to 27,000 places annually, with an additional 10,000 for complementary pathways.²

ii. The Gaza Crisis

The ICV appreciates that the 2024-25 Federal Budget recognised the need, and provided funding for, increased support specifically for those fleeing “the Occupied Palestinian territories,” along with Ukraine, including emergency financial assistance and Medicare services. However, we once again lament the Department’s failure to increase the number of Humanitarian Program placements accordingly, given the sheer scale of forced displacement that continues to occur due to Israel’s ongoing military assault of Palestine. Between October 2023 and May 2024, approximately 1.7 million people have been internally displaced in Gaza, constituting 83% of the total population, according to the UNHCR and Internal Displacement Monitoring Centre.³ The ongoing humanitarian catastrophe in Gaza is exemplary of the fact that the global need for humanitarian resettlement is only growing, as the Discussion Paper rightly acknowledges. Thus, Australia’s resettlements commitments, particularly for offshore applicants, should reflect this growing need and not remain stagnant.

¹ <https://www.unhcr.org/au/mid-year-trends#:~:text=Over%20110%20million%20people%20are,events%20seriously%20disturbing%20public%20order.>

² <https://www.refugeecouncil.org.au/wp-content/uploads/2024/02/2024-25-Pre-Budget-Submission-1.pdf>

³ <https://www.unrwa.org/resources/reports/unrwa-situation-report-104-situation-gaza-strip-and-west-bank-including-east-jerusalem#:~:text=As%20of%2024%20April%2C%20up,peatedly%20in%20search%20of%20safety;https://www.internal-displacement.org/spotlights/Palestine-Conflict-in-Gaza-leaves-83-per-cent-of-the-population-internally-displaced-in-less-than-three-months/>

The ICV supports Australia’s continued commitment to supporting humanitarian assistance and humanitarian resettlement due to protracted crises, including in Myanmar, Sudan and Afghanistan. We note that crises in these states, particularly Sudan, have continued to deteriorate in recent months, and relocation of these citizens should remain a key concern for the Department. We urge the Department to appropriately consider the scale of displacement and humanitarian catastrophe in Gaza, as Israel continues to increase its military operations in densely populated civilian areas and is currently on trial for genocide in the International Court of Justice.⁴ There is clear potential for this assault to become a protracted conflict and the source of an international refugee crisis. For this reason, we recommend the department take specific measures to prioritise the provision of temporary protection and permanent visas to Palestinian nationals. For example, designating Palestinians as a Priority Population, or designating additional places for Palestinians to migrate under the offshore Humanitarian Program, similar to the programs in place for Afghan and Burmese nationals.

iii. Extension of Pilot Programs

The ICV welcomes the extension of the Skilled Refugee Labour Agreement Pilot, and we encourage the Department to expand this program in order to relieve pressure on the demand for visas under the Refugee Intake and Humanitarian Program. We note that the Discussion Paper highlights Australia’s commitment to expanding our humanitarian intake while “while providing ongoing economic and social benefits to Australia.” However, we urge the Department to remain cognisant of the fact that Australia’s obligations of protecting refugees, *non-refoulement* and respecting the right to seek asylum remain immutable under international law regardless of the benefits provided by refugees and those seeking protection. Alternative pathways have their place as *alternatives* that relieve pressure on the standard Refugee and Humanitarian Program, but conditions such as skilled labour should never be a determining factor between those offered protection and those denied.

The ICV also supports the decision to continue the CRISP program and the Department’s pledge to raise the annual intake to 10,000 annually within five years. We additionally welcome the development of the HISP program to support refugees throughout the resettlement journey, and we urge the Department to

⁴ <https://www.aljazeera.com/news/2024/4/23/satellite-images-show-israeli-forces-gathered-for-gaza-escalation>; <https://www.icj-cij.org/node/203454>.

utilise both programs to support the influx of refugees from Gaza, which is, regrettably, expected to be a protracted issue.

Part 2: Responses

1. What is the ideal composition of Australia's 2024-25 Humanitarian Program and why? What do you think should be the proportion split between the Refugee and Special Humanitarian Program categories in the offshore component of the Humanitarian Program?

The ICV recommends that the 2024-25 Humanitarian Program should reflect the increasing global displacement needs. We support the Refugee Council of Australia's proposal to increase the total intake to 27,000 places annually, with an additional 10,000 for complementary pathways. This increase is necessary to address the severe and growing humanitarian crises worldwide.

Regarding the split between the Refugee and Special Humanitarian Program categories, we recommend a balanced approach that fairly prioritises both refugees and those in significant humanitarian need who may not be classified as refugees. Due to the numerous urgent humanitarian catastrophes unfolding across the globe, we recommend a higher proportion of Special Humanitarian Visas, in order to provide much-needed urgent protection to those who may not qualify as refugees under the strict legal criteria.

2. The Humanitarian Program continues to face significant pressure, with demand greatly exceeding available places. While priority is given to cohorts who are outside their home country and have the greatest resettlement need, are there other measures the government could take to increase transparency and avoid giving false hope (for example, through changes to application processes)?

The ICV recommends two procedural measures to increase transparency and avoid giving false hope. Firstly, ensure clear communication, including providing regular updates on processing times and application status to applicants to manage expectations and reduce uncertainty. Secondly, ensure that application processes and criteria are as clear and simple and possible to make applications more accessible, and help applicants understand their prospects of success.

Additionally, we recommend the Department more readily designate visas for Priority Cohorts during acute humanitarian crises, including the ongoing military attacks on Gaza, and clearly define and communicate these priority cohorts to ensure applicants understand who is most likely to be granted a visa.

Finally, the ICV wishes to highlight the need to prevent the recurrence of the incident in March of 2024 where a number of visitor visas for families coming from Gaza were cancelled mid-transit. While these visas were rightfully reinstated, their initial cancellation made the already distressing situation all the more traumatic for families attempting to flee the ongoing attacks on Gaza, some of whom reported having to make the heart-wrenching decision of whether to send their children onward to Australia without them.⁵ Firstly, the ICV wishes to reaffirm that any individuals who have their visas denied or retracted must be properly informed of the reasons, thus allowing them their right to dispute the outcome.

Furthermore, as the Refugee Council of Australia highlighted in a letter to the Home Affairs and Immigration Ministers, visitor visas are not suitable for the purpose of temporarily protecting individuals fleeing acute violence in their country of origin.⁶ They are less stable than humanitarian protection visas and can be withdrawn without proper notice, compounding an already traumatic situation of fleeing an active conflict zone. Instead, the ICV recommends offering Temporary Humanitarian Concern Visas to facilitate travel for individuals in dire circumstances in Occupied Palestine, like those offered for Ukrainian nationals fleeing the Russian invasion in 2022.

3. How can the Humanitarian Program better respond to future resettlement crises?

The number of people forcibly displaced globally reached a record high in 2023, with 110 million displaced people, at least 36.4 million of whom are refugees according to the UNHCR. As the global need for humanitarian resettlement increases, Australia's commitments must reflect this growing need, and not remain stagnant from year to year. The ICV fully supports the Refugee Council of Australia's calls to honour the Labor Party's 2021 promise of increasing the Humanitarian Program's intake to 27,000 places annually, with an additional 10,000 for complementary pathways.⁷ Refugee and Special Humanitarian Program intake quotas should also be flexible and be adapted to accommodate sudden increases in displacement due to rapidly deteriorating humanitarian catastrophes, such as those currently unfolding in Gaza, Sudan and Congo. Temporary Humanitarian Concern visas should also be made readily available to individuals needing to temporarily escape from areas of acute violence, including Gaza.

⁵ <https://www.smh.com.au/politics/federal/we-are-delighted-government-backflips-on-cancelled-gaza-visas-20240317-p5fd34.html>

⁶ <https://www.refugeecouncil.org.au/our-letter-to-ministers-regarding-the-cancellation-of-visas-for-palestinians-from-gaza/>

⁷ <https://www.refugeecouncil.org.au/wp-content/uploads/2024/02/2024-25-Pre-Budget-Submission-1.pdf>

4. Scalable complementary pathways for humanitarian entrants require significant financial and in-kind contributions from the private and community sectors. How can the Australian Government best incentivise these contributions and provide the enabling environment for complementary pathways to grow?

The Department can make pilot programs such as CRISP more accessible and well-known to the general public and to individuals that may want to assist refugees and be involved in Community Support Groups. Providing information and resources about programs to religious centres, peak bodies, non-profit organisations and community hubs can encourage grassroots community involvement. Offering partnership grants to community organisations capable of carrying out integration and resettlement programs would also help to further develop existing complementary pathways, and potentially create new pathways in future.

5. How can Australia best support the economic aspirations of humanitarian entrants to make strong contributions to Australia's economic prosperity?

The ICV welcomes the extension of the Skilled Refugee Labour Agreement Pilot, and we encourage the Department to expand this program in order to relieve pressure on the demand for visas under the Refugee Intake and Humanitarian Program. We emphasise that asylum seekers and refugees are often learned, skilled and capable individuals who are able to make a positive contribution to Australia's society and economy. Those able to gain protection through alternative pathways, such as skilled labour, should be given the opportunity wherever possible. We strongly encourage the department to consider additional alternative pathways to humanitarian protection, such as an education pathway.