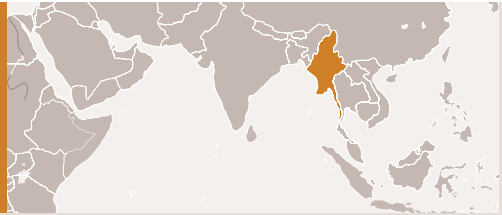


From Burma: Paw Gay's story



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In the last 25 years, more than 100 000 Burmese refugees have sought refuge in Thailand.

When she was just four years old, Paw Gay and her family fled their village in Burma following major offensives against the ethnic Karen by the Burmese Military.

During the night, they left their home and hid in the forest. Every few days they had to find a new hiding spot to avoid being found. Eventually they crossed into Thailand to seek refuge in the camps.

Paw Gay and her family lived in refugee camps for more than 20 years. The majority of those years were spent in Mae La camp which, with a population of more than 45 000, is the largest refugee camp in Thailand.

The camp is administered by the Thai Ministry of the Interior. UNHCR assists with registration activities and basic services are coordinated by NGOs. Whilst food, water, some health care and education are provided, UNHCR reports that the camp is overcrowded and there are frequently problems with basic supplies such as food and potable water.

In 2004 Paw Gay applied for resettlement and in 2006 was granted a visa through Australia's Humanitarian Program.

Since arriving in Australia, Paw Gay has improved her English through the Adult Migrant English Program (AMEP) and has used her language skills to assist other Burmese refugees to settle. She plans to study community development and is extremely happy that the rest of her family have now joined her in Australia.

Chapter Four

Resettlement—the offshore component of the Humanitarian Program

The offshore component of the Humanitarian Program assists people who are subject to persecution or substantial discrimination amounting to gross violation of their human rights in their home countries and have fled their home country.

Since the end of World War II around 700 000 people have been resettled under the offshore component of the Humanitarian Program. Of these, more than 100 000 refugees have arrived in the last decade, representing 40 different nationalities.

Figure 7: Humanitarian Program visa grants by category

Category	2003–04	2004–05	2005–06	2006–07	2007–08
Refugee	4134	5511	6022	6003	6004
Special Humanitarian	8927	6755	6836	5275	5026
Onshore Protection	788	895	1272	1701	1900
Temporary Humanitarian Concern	2	17	14	38	84
Total	13 851	13 178	14 144	13 017	13 014

Source: Department of Immigration and Citizenship

Humanitarian visa categories and subclasses

Within the Humanitarian Program there are five visa subclasses. Four subclasses fall within the Refugee category and one within the Special Humanitarian Program (SHP).

Refugee category

The Refugee category assists people who are subject to persecution in their home country and have a strong need for resettlement. Persecution may be targeted on the basis of race, nationality, religion, membership of a particular social group or political opinion and involve harassment such as arbitrary arrests and interrogation, detention, damage to property, physical abuse including assault and in extreme cases, torture.

Travel for successful applicants under the Refugee category is fully funded by the Australian Government. Australia works closely with UNHCR in selecting people under this category, as most successful applicants are referred to Australia by UNHCR for resettlement.



An elderly Burmese Rohingya refugee, who has lived in squalid camps in Bangladesh for many years
© UNHCR / G.M.B. Akash / June 2006

The visa subclasses within the Refugee category are:

- **Refugee** for applicants who have fled persecution in their home country and are living outside their home country
- **In-country Special Humanitarian** for applicants living in their home country who are subject to persecution
- **Emergency Rescue** for applicants who are living in or outside their home country and who are in urgent need of protection because there is an immediate threat to their life and security
- **Woman at Risk** for female applicants and their dependants who are subject to persecution or are people of concern to UNHCR, are living outside their home country without the protection of a male relative and are in danger of victimisation, harassment or serious abuse because of their gender. This subclass recognises the priority given by UNHCR to the protection of refugee women who are in particularly vulnerable situations.

In 2007–08, 13.7 per cent of the Refugee allocation was granted to Woman at Risk applicants, exceeding the nominal annual target of 10.5 per cent (see Figure 8). Since the Woman at Risk visa subclass was established in 1989 a total of 8810 Woman at Risk visas have been granted. In May 2009, the government announced it would increase its target for women at risk and their dependents to 12 per cent of the Refugee allocation.

Figure 8: Woman at Risk grants

	Grants	Per cent	Total Refugee grants	Top 5 nationalities				
00–01	402	10.1%	3997	Afghanistan	Yugoslavia (Former)	Croatia	Bosnia and Herzegovina	Sierra Leone
01–02	478	11.5%	4160	Afghanistan	Yugoslavia (Former)	Iraq	Sudan	Sierra Leone
02–03	504	11.5%	4376	Afghanistan	Sudan	Liberia	Iraq	Yugoslavia (Former)
03–04	393	9.5%	4134	Afghanistan	Sudan	Iraq	Liberia	Sierra Leone
04–05	841	15.3%	5511	Liberia	Afghanistan	Iraq	Sierra Leone	Burundi
05–06	995	16.5%	6022	Afghanistan	Liberia	Burundi	Burma	Iraq
06–07	980	16.3%	6003	Afghanistan	Burma	Congo (Democratic Republic)	Burundi	Iraq
07–08	819	13.7%	6004	Afghanistan	Burma	Congo (Democratic Republic)	Iraq	Somalia

Note: this table measures Woman at Risk grants as a proportion of all Refugee visas granted

Source: Department of Immigration and Citizenship

The Special Humanitarian Program

The SHP is for people who have been subject to substantial discrimination amounting to gross violation of their human rights in their home country, are living outside their home country at the time of application and have links with Australia. Substantial discrimination involves the deprivation of their basic human rights such as access to education and employment, freedom of speech and freedom to practice one's religion.

Applications for SHP visas must be supported by a proposer in Australia. SHP proposers help the applicant organise and pay for travel to Australia, accommodation and initial orientation in Australia if the applicant is granted an SHP visa. SHP proposers must be an Australian citizen or permanent resident over the age of 18, an eligible New Zealand citizen or an organisation operating in Australia.

People who would like to propose an SHP applicant can find more information, including application forms, on the department's website at www.immi.gov.au/visas/humanitarian/offshore.

No-interest travel loans scheme

To assist SHP visa holders and their proposers to fund the cost of travel to Australia, the International Organization for Migration (IOM) operates a no-interest travel loan scheme.

The scheme received Commonwealth funding in 2005 to increase the number of people who could access loans. The department continues to work with IOM to ensure the scheme is as effective as possible and has the greatest coverage.

Further information and application forms can be found at www.iom.int/australia/projects.html.

The International Organization for Migration

Established in 1951 as an intergovernmental organisation to resettle European displaced persons, refugees and migrants, the International Organization for Migration (IOM) has now grown to encompass a variety of migration management activities throughout the world. Acting with its partners in the international community, IOM upholds the human dignity and well-being of migrants; encourages social and economic development through migration; assists in meeting the operational challenges of migration and advances understanding of migration issues.

Source: IOM website

Assessment of an application

People who apply for resettlement in Australia must meet criteria set down in Australian law. Each applicant is individually assessed against these criteria, which are designed to ensure that visas are granted to applicants with the most compelling need for humanitarian resettlement. Requirements also include health and character checks. Applicants must be outside Australia when they apply and when the application is finalised.

While all refugee applications are processed by Australian immigration staff in overseas offices, most SHP applications from people in Africa and the Middle East (including South West Asia) are lodged at Offshore Humanitarian Processing Centres in Sydney and Melbourne, and after initial processing are either declined or referred to the appropriate overseas office for further processing. For details on application lodgement procedures please refer to the department's website www.immi.gov.au/visas/humanitarian.

Figure 9: Number of applications lodged for the past five program years

	2003–04	2004–05	2005–06	2006–07	2007–08
Refugees	18 996	19 994	12 090	19 957	12 880
Special Humanitarian	59 975	70 545	69 592	60 329	34 451
Total	78 971	90 539	81 682	80 286	47 331

Source: Department of Immigration and Citizenship

Health and character checks

As outlined in Chapter Three, all visa applicants must satisfy public interest criteria intended to protect the Australian community. These criteria include health and character requirements.

Pre-departure medical screening

Pre-departure medical screening (PDMS) is a voluntary health check typically undertaken around three days before travel to Australia. This check is in addition to the stringent health check applicants must undertake before a visa can be granted. It ensures that visa holders are fit to travel to Australia, recognising the possibility for changes in their health between initial health assessment and departure.

Depending on the location, PDMS may include testing for communicable diseases, a physical examination and assessment of the visa holder's general health status and fitness to travel.

If any health problems identified at PDMS compromise the visa holder's fitness to travel, medical treatment is provided free of charge. Their visa status is not affected and they can travel to Australia as soon as they are considered fit to do so. PDMS also links clients to healthcare services they need after they arrive in Australia.

First introduced in East and West Africa in August 2005, PDMS services were expanded in 2007–08 to include Southern Africa, the Middle East, Pakistan, India, Nepal and Malaysia. The location of PDMS services will continue to reflect the source locations of the refugee and humanitarian caseload.

Application processing times

The department appreciates the difficulties faced by humanitarian visa applicants while their applications are processed, and gives a high priority to finalising these applications.

Service standards require that 75 per cent of all offshore humanitarian applications are finalised within 12 months of lodgement.

Application processing times will vary according to circumstances in the country of residence, the results of medical checks, any character concerns prompted by the applicant's personal history and other variables that are outside the control of visa decision-makers.

Family reunion

During humanitarian crises and flights to safety, families sometimes become separated. The Humanitarian Program provides a means for separated immediate family members of humanitarian entrants to reunite with their family in Australia.

An immediate family member is either the proposer's spouse, dependant child or, if the proposer is not 18 or more years of age, the proposer's parent.

If a humanitarian visa holder in Australia included details of an immediate family member on their original visa application, they can apply for family reunion within five years of their visa being granted. Eligible family members do not need to meet persecution or substantial discrimination criteria, but they must prove they have an immediate family relationship and meet health and character requirements.

Applicants accepted under these provisions are usually granted the same visa subclass as their immediate family member in Australia. Holders of Protection or Resolution of Status visas are also eligible to be reunited with immediate family members under the Humanitarian program. These applicants are granted SHP visas.

Applicants who do not meet the family reunion criteria are also assessed against the SHP and Refugee categories to determine whether they meet the persecution and substantial discrimination criteria in their own right. SHP applicants do not need to prove an immediate family relationship to the proposer, but the proposer must undertake to help the applicant meet the cost of travel to Australia and provide initial settlement assistance after they arrive.

Humanitarian entrants may also apply to sponsor family under other family migration categories in Australia's Migration Program. Further information on these categories can be found at www.immi.gov.au/migrants/family.

Current regional focus of the program

Africa

Africa remains a priority region for resettlement internationally and in Australia. Many people throughout the Africa region have been affected by armed conflict and civil disorder. Political instability and the management of population flows present significant challenges.

In 2007–08, around 30 per cent of all people granted visas under the offshore Humanitarian Program were from the Africa region, particularly Sudan, Liberia, Democratic Republic of the Congo, Burundi and Sierra Leone, but also Somalia, Togo, Ethiopia, Mauritania and Eritrea.

In the 2008–09 program year around 33 per cent of people coming to Australia under the offshore Humanitarian Program are expected to be from the Africa region.



This woman fled her home town after a mortar attack that killed several children © UNHCR / K.Brooks

Middle East (including South West Asia)

Over the last decade Australia has taken significant numbers of refugees from the Middle East region (including South West Asia) as a result of the Gulf War, conflicts in Afghanistan and Iraq, and the targeting of minority ethnic groups for human rights abuses.

In 2007–08, around 35 per cent of people granted visas under the offshore Humanitarian Program were from the Middle East (including South West Asia), particularly Iraq and Afghanistan.

In 2008–09, 33 per cent of the available offshore Humanitarian Program visas were allocated for people from this high priority region. In addition, 500 refugee places were set aside in 2008–09 specifically for Iraqi refugees, in recognition of their critical resettlement needs.



A mother and daughter look out from their room in a communal home for recent arrivals in the Mae Ra Ma Luang camp on the Thai-Burma border © UNHCR / J. Redfern / June 2006

Asia

Over the last few years, an increasing percentage of offshore humanitarian visa grants have been made to persons from Asia. This is a result of consideration of UNHCR's regional priorities and reflects greater access to resettlement for refugee groups in our region. These have included Burmese refugees who have been living in protracted situations in Thailand and Bhutanese refugees from camps in Nepal. Rohingya refugees from Burma who have been living in camps in Bangladesh for many years were included in the Humanitarian Program for 2008–09.

In 2007–08, countries in Asia and the Pacific represented around 34 per cent of visa grants. Resettlement from this region has remained close to the same level in 2008–09.

Europe and the Americas

In line with global resettlement needs, less than one per cent of offshore humanitarian visas were granted outside the above priority regions in 2007–08.

Figure 10: Resettlement Program grants by region from 1998–99 to 2007–08

	Rank				
	1	2	3	4	5
1998–99	Europe 49.72%	Middle East & SW Asia 30.64%	Africa 16.29%	Asia 3.10%	Americas 0.25%
1999–2000	Europe 45.64%	Middle East & SW Asia 29.83%	Africa 22.69%	Asia 1.56%	Americas 0.28%
2000–01	Europe 43.32%	Middle East & SW Asia 26.96%	Africa 25.43%	Asia 3.95%	Americas 0.34%
2001–02	Africa 33.12%	Middle East & SW Asia 32.43%	Europe 32.03%	Asia 2.23%	Americas 0.19%
2002–03	Africa 48.32%	Middle East & SW Asia 39.94%	Europe 9.93%	Asia 1.78%	Americas 0.03%
2003–04	Africa 70.78%	Middle East & SW Asia 24.29%	Europe 3.00%	Asia 1.87%	Americas 0.06%
2004–05	Africa 70.16%	Middle East & SW Asia 26.24%	Asia 3.43%	Europe 0.16%	Americas 0.01%
2005–06	Africa 55.65%	Middle East & SW Asia 33.98%	Asia 9.88%	Europe 0.43%	Americas 0.06%
2006–07	Africa 50.91%	Middle East & SW Asia 27.95%	Asia 20.70%	Europe 0.44%	Americas 0.00%
2007–08	Middle East & SW Asia 35.25%	Asia 33.67%	Africa 30.48%	Europe 0.55%	Americas 0.05%
2008–09 planned	Asia 33%	Middle East & SW Asia 33%	Africa 33%	Contingencies 1%	

Source: Department of Immigration and Citizenship