



**ACFID Submission to Department of Immigration and Citizenship
on Australia's Humanitarian Program 2012-13 and beyond
January 2012**

Australian Council for International Development

14 Napier Close
Deakin ACT 2600
Phone: +61 2 6285 1816
Fax: +61 2 6285 1720
Contact: Marc Purcell, Executive Director
Email: mpurcell@acfid.asn.au

Table of Contents

1	Introduction	3
2	About ACFID	3
3	Background	4
4	Recommendations	5
	<i>4A. Forgotten Emergencies Fund</i>	5
	<i>4B. Building Peace and Security</i>	6
	<i>4C. Climate Change and Movements of People</i>	7
	<i>4D. Utilise a Human Rights Based Approach</i>	7
5.	ANNEX A	9

1 Introduction

1. The Australian Council for International Development (ACFID) welcomes the opportunity to make this submission to the Department of Immigration and Citizenship on Australia's Humanitarian Program 2012-13 and Beyond (the Program). ACFID and its members focus mainly on the offshore component of the Program.
2. ACFID commends the Australian Government for its pledge at the December 2011 Ministerial meeting of United Nations High Commissioner for Refugees (UNHCR) in Geneva to "support durable solutions for refugees through enhanced linkages between humanitarian assistance, early recovery and development programming."
3. ACFID further commends the Government on the adoption of the first in-principle regional agreement to act collectively on refugee protection and the subsequent development of this agreement into a framework for implementation that occurred through the Bali Process. Such agreements and progress are critical in our region where many of Australia's neighbouring countries are not party to the 1951 Refugee Convention and protection issues have not assumed a high profile. ACFID welcomes this positive step forward.
4. The Humanitarian Program, together with the Australian aid program, can play a vital role in addressing some of the underlying causes of conflict and managing some of the consequences of conflict. ACFID encourages and supports a comprehensive, whole of government approach.
5. ACFID's submission on the Program endorses in full the submission made to the Department of Immigration and Citizenship (DIAC) by the Refugee Council of Australia, which is the result of community consultation. ACFID recognizes DIAC's financial support for those consultations and appreciates the openness of the Department to receiving honest feedback from the community on the Program.

2 About ACFID

1. ACFID is the peak council for aid and development organisations in Australia. At the time of submission ACFID represents 76 member agencies in the aid and development not for profit sector in Australia which work in over 100 countries. ACFID members work with refugee communities in approximately 15 countries around the world.
2. In 2010, more than 2 million Australian households donated to international aid organisations, primarily to ACFID members, and a further 94,000 individuals gave their time as volunteers to the sector. The sector raises and expends \$1.2 billion annually with approximately \$850 million (2009-10 figures) coming primarily from the public. Approximately 16% of the sector's revenue comes from the Government.
3. ACFID administers a rigorous Code of Conduct which represents the active commitment of 120 Australian overseas aid organisations to strive for best practice and integrity, transparency and accountability in their work. Our Code was reviewed and strengthened in 2010, and now covers 50 principles and over 150 obligations for signatories. It has an annual compliance process and includes an independent committee for assessing complaints.

4. A full list of ACFID member organisations can be found in Annex A

3 Background

1. The Office of the United Nations High Commission for Refugees (UNHCR) estimates that of the 10.55 million refugees currently under its mandate, 781,299 are in need of resettlement, with only 172,196 (or 22%) identified for resettlement in 2012. Global resettlement places potentially available for referral by UNHCR currently stand at 80,000, or less than half the needed resettlement allocations.
2. In the past year, there have been positive developments in regional processes on cooperation relating to protection issues amongst the countries of the Asia Pacific region. However, ACFID does not support the use of off-shore detention centres due to the well documented psychological harm it causes to people and the relative absence of psychological support services. ACFID is distressed by the acerbic political rhetoric on refugee and asylum seekers arriving in Australia by boat.
3. International refugee are likely be characterised by the following trends in the coming years:
 - new crises emerging which cause refugee flows, such as the one we saw in Cote d'Ivoire in April 2011¹;
 - existing crises deepening—such as the crisis that swept the Horn of Africa in 2011 and further exacerbated circumstances for Somalis and others across the region and protracted crises in Afghanistan, Iraq, Central African Republic and DR Congo;
 - decline in repatriation—durable solutions including voluntary repatriation are in decline and in 2010 repatriation hit a 20 year low with just 187,600 repatriations; resettlement numbers are falling—from 2009 to 2010 settlement places globally dropped by 14% and new security procedures in some settlement states have further reduced the numbers of people able to be resettled;
 - ineffective protection for many refugees—refugees in both urban and camp settings are exposed to risks on a daily basis with the lack of access to shelter, health care, clean water and livelihood opportunities compounding the risks they encounter;
 - refugees seeking their own solutions—the perceived lack of access to durable solutions has caused an increasing response by refugees for irregularity and mobility, onward movement , risk spreading and other survival strategies. In 2010 there were 358,800 asylum applications lodged in 44 industrial countries, approximately 20% fewer than in 2009.²

¹ UNHCR. "Côte d'Ivoire: Working Environment." <http://www.unhcr.org/pages/49e484016.html>. Last accessed 31 January 2012.

² UNHCR. "Asylum Levels and Trends In Industrialized Countries 2010: Statistical Overview of Asylum Applications Lodged in Europe and selected non-European Countries." 28 March 2011. <http://www.unhcr.org/4d8c5b109.html> Last accessed 31 January 2012.

4. In light of these trends and the Australian context, ACFID recommends the following:

4 Recommendations

1. ACFID supports a development approach to addressing the root causes of flight and onward movement. ACFID endorses in full the submission to DIAC from the Refugee Council of Australia and makes an additional five (4) recommendations. The Australian Government should further **strengthen its whole of government approach to interventions designed to address the root causes of flight and onward movement** by such measures as:
2. **Create a *Forgotten Emergencies Fund*** to provide financial support for non-government organisations and multilateral agencies to work in protracted crisis situations which also comprise the majority of protracted refugee situations;
3. **Commit to building peace and security as a cornerstone of addressing root causes** with a focus on the following countries: Somalia, Iraq, South Sudan, Afghanistan, DR Congo, Pakistan, Palestinian Territories, Libya, Thailand, Burma, and Sri Lanka;
 - **Work with all relevant stakeholders, including non-government organisations, to ensure the development a Protection Unit and a Protection Framework** which accounts for and address the protection challenges facing refugees and asylum seekers;
4. **Support development programs of the Australian Government which take into account regional geography and the particular susceptibility of the Pacific and South East Asian nations to the effects of natural disasters and climate change.** This approach recognizes the increasing frequency and severity of natural disasters resulting from climate change that can lead to movements of people who, while not categorized under the 1951 Convention, remain in need of protection. Therefore, it is important to increase support to climate change adaptation and disaster risk reduction programs in countries of origin and host countries, and;
5. **Utilise a human rights based approach** to addressing the situation of refugees.

4A. *Forgotten Emergencies Fund*

4A.1 At present there is no systematic analysis or review to guide Australia's contributions to countries experiencing chronic, protracted, or slow onset crises in which a majority of the largest protracted refugee situations are embedded. Strengthening a whole of government approach to finding durable and long-term solutions to these situations will require creative and mixed-mode engagements which not only use resettlement as a strategic tool to unlock other durable solutions, but also use principled and structured aid engagements as a tool to addressing the long term causes of vulnerability from which people flee.

4A.2 As a response, ACFID is proposing a *Forgotten Emergencies Fund*, the primary purpose of which would be to provide funding support to chronic and protracted crises which are often underfunded or under-addressed by donor governments, including Australia. Such humanitarian support could be leveraged to address a range of the root causes of flight and onward movement such as improving access to livelihoods and self-reliance, enhancing support and protection of vulnerable and at-risk groups, including women, children and people with disabilities, and supporting community capacity building.

4A.3 For further information on ACFID's proposal, please see our Budget Submission attached here as an additional document. ACFID is happy to provide further details upon request.

4B. Building Peace and Security

4B.1 In addition to addressing situations of chronic, protracted, or slow onset crises, ACFID recommends a more strategic, whole of government focus on building peace and security. The Independent Review of Australia's Aid Program reported that while donors acknowledge that countries experiencing conflict will be left behind in development progress, still there is an under-investment in efforts to end violence (Independent Review of Aid Effectiveness, April 2011, p.167).

4B.2. In fact, for Australia, approximately 60% of our bilateral aid programs are in conflict-affected and fragile states (2010 Federal Budget Statement, 11 May 2012, p.29) compared with only 3% of funding to conflict prevention and resolution, peace and security programs.

4B.3 Addressing the need for building peace and security in conflict-affected states should be undertaken through a whole of government approach and could focus on the following countries, many of which align with the Priority Situations identified by UNHCR and the Working Group on Resettlement:

- a) Somalia
- b) Iraq
- c) South Sudan
- d) Afghanistan
- e) DR Congo
- f) Pakistan
- g) Palestinian Territories
- h) Libya
- i) Thailand
- j) Burma
- k) Sri Lanka

4B.4 The focus on peace and security building activities seems to have been lost during the past year, in which the Australian Government has appeared to be driven by a singular, political narrative and focus on stopping boat arrivals to Australia. Such a focus has left little room for dialogue and policy to address in-country solutions, of which building peace and security should be a primary goal.

4B.5 Specifically, to build emphasis on peace and security activities, **ACFID proposes the development of a Protection Unit and a Protection Framework.** Building on Australia's stated commitment to protecting people affected by conflict or natural disaster in the Australian Humanitarian Action Policy (Australian Government, Humanitarian Action Policy, p.23, December 2011), the development of a dedicated protection unit, to sit within AusAID, and protection framework reflecting a whole of government commitment to protection is critical. Liaising with DIAC and other multilateral actors such as UNCHR, UNDP, UNOHCHR, ICRC and UNICEF would be a key function.

4B.6 ACFID also encourages Australia to continue its support for mandated protection actors, above, and also to support the role of NGOs and civil society. Furthermore, by initiating the development of an Australian Government Protection Framework, should lead to greater support for community initiated response for their own protection. The understanding that individuals are the main actors in their own protection has been a recurring humanitarian lesson of the past two decades. Individual agency and

'positive self-protection' strategies of individuals, families and communities should be supported and reinforced through external support while ensuring sustainability and effectiveness of protection.

4C. Climate Change and Movements of People

4C.1 ACFID notes with concern the need to address the status of people affected by climate change, who, while not categorized as refugees under the 1951 Convention, are likely to be displaced in growing numbers and who will require settlement, protection and assistance. Our own region of the Pacific and South East Asia are likely to experience particular vulnerabilities to such changes.

4C.2 Continued focus and whole of government support for robust programs in Disaster Risk Reduction (DRR) and Climate Change Adaptation (CCA) is a central strategy for mitigating some of the risk posed to vulnerable populations by climate change. We urge Australia to explore further support for DRR and CCA engagements both through Australian whole of government mechanisms and in the international arena.

4D. Utilise a Human Rights Based Approach

4D.1 ACFID emphasises the importance of a human rights based approach to addressing the situation of refugees through the Program. A rights-based approach involves integrating the norms, standards and principles of the international human rights system into the policies, programmes and processes of development and humanitarian actors and will enable more effective responses to the situation of refugees. Human rights-based approaches mean that both the approach to, and outcomes of, development and emergency activities enable individuals and communities with which we work to have greater enjoyment of their human rights. It is based on an understanding that action based on human rights will more effectively ensure everyone enjoys a life of dignity and equality.

4D.2 We note that approximately 50 per cent of the world's refugees are women and girls who often face sex-specific dangers and have specific concerns, even after reaching an apparent place of safety. Women also have particular strengths, when properly consulted and given the proper resources, and their capacities can be harnessed to great effect in improving their lives and the lives of their children, families and communities.

4D.3 We also note with concern the large number of children who are refugees, asylum seekers and stateless as well as returnee and internally displaced children, and who are at specific risk and need particular attention as a result of their vulnerability to physical and mental trauma, their dependence upon adults to survive, and the developmental needs that must be met to ensure normal growth and development.

4C.4. We also note with concern that an estimated that 2.3 - 3.3 million of the world's forcibly displaced people live with disabilities, one third of them children. Refugees with disabilities are an extremely vulnerable group and assistance and protection measures designed for the majority very rarely meet the specific needs of those with disabilities. ACFID calls for increased recognition of the specific needs of

women, children and people with disabilities in the refugee and humanitarian program. AusAID's Disability Strategy is an excellent model.³

4D.5 Millions of people have had no option but to seek protection or improved social and economic conditions outside their country of origin because they have not been able to realise their human rights and fundamental freedoms. A critical principle therefore in the formulation of a human rights-based approach to the refugee and humanitarian program is that everyone should be able to live safely and securely in their country of origin (see 4.3). Greater alignment between DIAC and AusAID to this end is necessary.

ACFID stands ready to give evidence.

³ Australian Government, AusAID. "Development for All: A Disability Strategy for the Australian Aid Program 2009-2014." <http://www.ausaid.gov.au/publications/pdf/dev-for-all.pdf> Last accessed 31 January 2012.

5. ANNEX A

ACFID Member Organisations:

1. 40K Foundation Australia
2. Act for Peace – National Council of Churches Australia
3. ActionAid Australia
4. ADRA Australia
5. Afghan Australian Development Organisation
6. Anglican Board of Mission - Australia Limited
7. AngliCORD
8. Archbishop of Sydney's Overseas Relief and Aid Fund
9. Assisi Aid Projects
10. Australasian Society for HIV Medicine
11. Australia for UNHCR
12. Australian Aid International
13. Australian Business Volunteers
14. Australian Conservation Foundation
15. Australian Doctors for Africa**
16. Australian Doctors International
17. Australian Federation of AIDS Organisations
18. Australian Foundation for the Peoples of Asia and the Pacific
19. Australian Himalayan Foundation
20. Australian Lutheran World Service
21. Australian Marist Solidarity Ltd
22. Australian Medical Aid Foundation
23. Australian Red Cross*
24. Australian Respiratory Council
25. Australian Volunteers International
26. Baptist World Aid Australia
27. Burnet Institute
28. Care Australia
29. Caring and Living as Neighbours (CLAN)
30. Caritas Australia
31. CBM Australia
32. Charities Aid Foundation**
33. ChildFund Australia
34. Credit Union Foundation Australia
35. Emergency Architects Australia Ltd
36. Foresight (Overseas Aid and Prevention of Blindness)
37. Fred Hollows Foundation, The
38. Friends of the Earth (Australia)
39. Global Development Group
40. GraceWorks Myanmar
41. Habitat for Humanity Australia
42. HealthServe Australia
43. Hunger Project Australia, The
44. International Centre for Eyecare Education
45. International Nepal Fellowship (Aust) Ltd
46. International Women's Development Agency
47. Interplast Australia – Royal Australasian College of Surgeons
48. Islamic Relief**
49. Lasallian Foundation
50. Leprosy Mission Australia, The
51. Live & Learn Environmental Education
52. Marie Stopes International Australia
53. Mercy Works Inc.
54. Mission World Aid Inc.
55. Motivation Australia
56. Nusa Tenggara Association Inc.
57. Opportunity International Australia
58. Oxfam Australia
59. OzGREEN - Global Rivers Environmental Education Network Australia Inc.
60. Partners in Aid
61. Plan International Australia
62. Project Vietnam
63. Quaker Service Australia
64. RedR Australia
65. Refugee Council of Australia*
66. RESULTS Australia
67. Salesian Society Incorporated
68. Save the Children Australia
69. Sexual Health & Family Planning Australia
70. TEAR Australia
71. Transparency International Australia
72. Union Aid Abroad- APHEDA
73. UnitingWorld
74. WaterAid Australia
75. World Education Australia Limited
76. World Vision Australia
77. WWF Australia

* Denotes Consulting Affiliates

** Denotes Preliminary Member

