



**Federation of Ethnic Communities' Councils of Australia
(FECCA)**

**Submission to the Senate Inquiry into the Migration
Amendment (Complementary Protection) Bill 2009**



1. The Federation of Ethnic Communities' Councils of Australia (FECCA) welcomes the opportunity to contribute to the Senate Inquiry into the Migration Amendment (Complementary Protection) Bill 2009.
2. FECCA is the peak national body representing the interests of Culturally and Linguistically Diverse communities in Australia. FECCA supports multiculturalism and social inclusion and rejects all forms of discrimination and racism.
3. FECCA welcomes the Government's long term commitment to displaced people and refugees, evident in this proposed legislative change. A great many people have had the opportunity to start new lives and to contribute to national development because of this commitment. FECCA strongly believes that a fair and well managed refugee and humanitarian program is of great benefit to Australia's future growth and economy.
4. FECCA generally supports the changes proposed in the Migration Amendment (Complementary Protection) Bill 2009. FECCA is highly supportive of the complementary protection arrangements proposed to assist those most at risk of irreparable harm if they are not granted asylum. FECCA has for long advocated for reforms to the *Migration Act*, to ensure it complies with Australia's international obligations to refugees, asylum seekers and stateless persons.
5. FECCA welcomes the proposal in the Bill to introduce a single protection visa application process, which will assess Australia's protection obligations under human rights treaties other than the Refugees Convention, with protection determination decisions subject to review by the Administrative Appeals



Tribunal or Refugee Review Tribunal. This, FECCA believes, will create a more transparent and open visa process.

6. While FECCA supports the proposed non-refoulement amendments, we also believe appropriate measures must be in place to ensure that Australians are protected from persons properly deemed to be a genuine threat to Australian society despite the legitimacy of their claim to asylum.
7. FECCA contends that claims processes under the new legislation must be properly resourced so as to be able to assess and process them in a timely manner.

Conclusion

8. FECCA congratulates the Government on introducing the proposed legislative amendments to create a single protection visa application determination process that considers all obligations under international treaties and conventions to protect those vulnerable to human rights abuses. The ability to consider complementary protection claims will improve Australia's arrangements for meeting its non-refoulement obligations and should help ensure that more refugees at risk of the most serious forms of human rights abuses are protected.
9. There may be a need for more clarity in setting out what other associated arrangements are available for those to who are found not to be eligible for a protection visa on security, and like, grounds. Finally, the improvements to the protection visa determination process and associated review rights should not be used to justify longer processing times: these systems must be properly resourced.