



Submission No 16

Inquiry into Australia's relationship with India as an emerging world power

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Australian Government

Department of Immigration and Multicultural Affairs

SUBMISSION

BY

THE DEPARTMENT OF IMMIGRATION AND MULTICULTURAL
AFFAIRS

TO THE

JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS,
DEFENCE AND TRADE

IN RELATION TO THE INQUIRY INTO

AUSTRALIA'S RELATIONSHIP WITH INDIA AS AN EMERGING WORLD POWER

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Executive Summary

The significance of India as a global trading economy and the size of its increasingly educated and mobile population are reflected in the prominence of Indian nationals in Australia's temporary entry and permanent migration visa programs.

India is Australia's third largest source of permanent migrants (second rank for skilled migrants and fourth rank for family migrants), third largest source of overseas students, and second largest source of long-stay skilled temporary residents (sub-class 457). A visit by Senator Vanstone to India in March 2006 further promoted the attractiveness of Australia as a destination.

Streamlined visa procedures introduced by DIMA have enabled an increasing number of Indian nationals to travel to Australia for business, tourism and education. These initiatives include a service delivery partnership for receipt of visa applications; the Preferred Agency Scheme; electronic lodgement for student visas; and the sponsored business visitor program. An electronic application option for tourist visas will be available later in 2006, as announced by the Prime Minister and Senator Vanstone. In response to this announcement, Maggie White from Tourism Australia has noted that "...we expect an even higher level of trust and co-operation will be achieved between all parties."

The Indian diaspora contributes richly to the cultural and economic benefits enjoyed by both countries. The Indian-born community in Australia is itself culturally diverse, well settled and highly educated.

Cooperation between Australia and India on migration management, border security and the response to extremism contributes to regional security.

India and Australia are able to work constructively together in the global debate on migration management. Both are advocates for the expansion of legal migration opportunities, and are strong in opposition to irregular migration. An annual Joint Working Group on Counter-Terrorism and Immigration complements other regular exchanges on document fraud detection and identity management and on international border management systems.

Australia and India are both participants in the Inter-governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC) since its inception in 1996 and the Bali Process on People Smuggling. Although not a signatory to the Refugees Convention, India is a country of first asylum for refugees from a number of regional countries. India also has extensive experience in managing diversity and preventing communal differences from developing into extremism.

Terms of Reference

The full committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade shall examine and report on Australia's relationship with India as an emerging world power with particular reference to:

- **Trade and tourism including investment opportunities**
- The defence relationship
- **The strategic possibilities for both nations resulting from increasing globalisation and regional imperatives**

This submission will address the first and third terms of reference.

Facilitating trade and tourism

Overview

By managing and supporting the temporary and permanent entry of people into Australia, the Department of Immigration and Multicultural Affairs (DIMA) facilitates the benefits associated with trade and tourism between Australia and India.

The significance of India as a global trading economy and the size of its increasingly educated and mobile population are reflected in the prominence of Indian nationals in Australia's temporary entry and permanent migration visa programs. Senator Vanstone visited India in March 2006 to promote Australia as a destination and to showcase recent visa streamlining initiatives, as well as meet Indian government ministers and representatives of the tourism and education industries.

Streamlined visa procedures introduced by DIMA have enabled an increasing number of Indian nationals to travel to Australia for business, tourism and education. Some of the initiatives to improve visa services to Indian clients include a service delivery partnership for receipt of visa applications; the Preferred Agency Scheme; electronic lodgement for student visas; and the sponsored business visitor program. These have helped to significantly improve client access and reduce processing times for visa applications, especially for the visitor and short stay business visa programs. DIMA also plans to introduce an electronic application option for tourist visas in 2006 as announced by the Prime Minister and Senator Vanstone.

India is Australia's third largest source of permanent migrants (second rank for skilled migrants and fourth rank for family migrants), third largest source of overseas students, and second largest source of long-stay business visitors.

In the 2005 calendar year, Indian nationals accounted for 68,000 visitor arrivals, 1.24 per cent of the total arrivals and an increase of 22 per cent on the previous year (four times average growth of 5.4 per cent).¹ This growth contributes to the consumption by international visitors of goods and services produced by the Australian economy (\$18.3 billion in 2004-05).²

Indian students, representing 11 per cent of total student visa grants in 2005-06 to 31 March (up 42.4 per cent over the same period last year), are important to the Australian international education industry, which contributed around \$7.5 billion in export earnings to Australia in 2004-05. Student visa grants for Indian nationals have increased by 43 per cent over the past three programme years.

Business visitors, temporary skilled residents and skilled migrants from India and the Indian diaspora in Australia bring investment, skills and intellectual capital, and new markets to Australian businesses, opening up new opportunities for trade. DIMA supports companies in maximising the benefits of Australia's diverse workforce through promoting the economic benefits of diversity.

¹ Tourism Australia website, see www.tourism.australia.com

² Australian Bureau of Statistics website, see www.abs.gov.au

Strong growth in Indian visitor numbers

The number of Indian visitors³ to Australia has risen steadily in recent years, with applications growing by a total of 25 per cent over the past three years.

In 2004-05, there was a strong increase in visitor visa grants to Indian nationals, with 56,351 approved. Of these, 37,433 were tourists, an increase of almost 5 per cent from the previous year; 18,018 were business visitors, the fifth highest nationality and a 20 per cent increase over the previous year; 890 were sponsored family visitors, a 100 per cent increase from the previous year.

DIMA initiatives supporting growth

One of the reasons for this good growth has been a number of initiatives that have streamlined visa processing procedures, a contribution recognised by industry.

Extract from a letter to DIMA from Tourism Australia's Regional Manager, Maggie White

We would like to express our gratitude to the DIMA team in Delhi for the partnership and the initiative taken to grow the tourism arrivals from India to Australia over the last 3 years. Whilst previously we would have only heard complaints of the uncertainty of getting an Australian visa and the length of time taken for the processing, we now receive glowing compliments and constructive comments from the travel agents actively promoting and selling Australia.

This is indeed a great testimony of the efforts put in by the Department's India team which have broken new ground in adopting a pro-active approach in engaging the Indian travel agents to be involved in screening the applicants and applications submitted. This level of partnership and co-operation is unheard of in India and is indeed the envy of many other diplomatic missions there. With the eagerly anticipated introduction of e-visas in the last quarter of 2006, we expect an even higher level of trust and co-operation will be achieved between all parties.

All these efforts have enabled us in Tourism Australia to concentrate on our role of marketing and promotional efforts to complement the great work done by the departments. And it has borne much fruit. We have seen annual compounded growth of about 20 per cent over the last 2 years and we expect this to be maintained barring any unforeseen circumstances.

The Department is to be congratulated for these efforts in India which we believe has now become a model for partnership and co-operation with other stakeholders globally. We look forward to this strong partnership continuing and building on what has been achieved to date.

³ **Visitor visas include:**

Subclass 456: Business Visitor (Short Stay)

Subclass 459: Sponsored Business Visitor

Subclass 675: Medical Treatment (Short Stay)

Subclass 676: Tourist

Subclass 679: Sponsored Family Visitor

Subclass 685: Medical Treatment (Long Stay)

Subclass 686: Tourist (Long Stay) (ceased 30 June 2005)

Subclass 956: Electronic Travel Authority (Business Entrant - long validity)

Subclass 976: Electronic Travel Authority (Visitor)

Subclass 977: Electronic Travel Authority (Business entrant - short validity)

(India is not eligible to apply for ETAs)

Service Delivery Partnership

DIMA has a Service Delivery Partner (SDP) arrangement with TT Services (TTS) which was established following a competitive tendering process.

This arrangement has helped to:

- Enhance opportunities for direct lodgement of visa applications; and
- Manage the flow of persons to the Australian High Commission in New Delhi, improving security and comfort for clients.

Clients are able to lodge applications at a number of locations throughout India every day of the working week, over extended hours of operation. This represents a significant improvement over the previous requirement that applications had to be lodged in person at the Australian High Commission in New Delhi during business hours.

Preferred Aussie Specialists

DIMA has worked closely with Tourism Australia on this major initiative to support the increase in tourism from India to Australia while maintaining the integrity of the tourist visa programme.

The Preferred Aussie Specialists scheme ensures the majority of tourist visa applicants receive a quick turnaround on their applications. A large percentage of applications lodged through *Preferred Aussie Specialist* agents are collected, processed and returned to agents within three to four days.

Over 65 *Preferred Aussie Specialist* agencies have received training and are supported by a visa authorisation service from DIMA. In addition, a courier network from seven cities in India provides secure collection from delivery of passports between the *Preferred Aussie Specialists* and the DIMA office in New Delhi.

Further improvements to the system planned for the second half of 2006 will include the introduction of full electronic processing through the *Preferred Aussies Specialist Agents*, which is described in more detail below.

Electronic tourist visa application option

The introduction of an electronic tourist visa application process was announced by the Prime Minister and Senator Vanstone in March 2006. The electronic tourist visa, called the e676 visa, enables clients to apply over the internet. This more efficient and convenient service for clients will also deliver quicker visa decisions.

The 676 visa should be available to Indian clients in the last quarter of 2006. Access will initially be granted via approved *Preferred Aussie Specialist* travel agents only, with further roll-out to more agents over time.

Long-stay business visas

India is the second largest source of Long Stay Business Visas (subclass 457) to Australia, with Indian nationals accounting for 10 per cent of all such visas in 2004-05 (eight per cent in the first half of 2005-06).

Visa subclass	2004/2005 programme year	2005/2006 year to date, 31 Dec 2005
Temporary Business (Long Stay) s/c 457	4,949	2,834
Employer Nomination Scheme (ENS)	441	243
Regional Sponsored Migration Scheme (RSMS)	139	145
Labour Agreement	45	61
Distinguished Talent	9	3

Australia protects the interests of such visa category entrants in a number of ways:

- Minimum salary levels are used as an indication that the positions are in fact skilled occupations. The minimum salary level for the temporary Business (Long Stay) Subclass 457 visa is \$41,850 and for Information Technology (IT) positions, the minimum salary level is \$57,300. Where the industrial award is higher, then this is the minimum wage that must be paid. These are reviewed regularly.
- When applying to be a sponsor, sponsors agree to certain obligations including to pay at least a minimum salary, comply with Immigration monitoring and requirements, and Australian Industrial Relations and Tax Law.
- All sponsors are closely monitored to ensure they are complying with their sponsorship obligations. DIMA works closely in this regard with relevant agencies and unions. Where sponsors are found in breach, their sponsorship can be cancelled, they can be barred from nominating any further workers for up to five years, and/or their future sponsorship applications may be refused. Any breaches of non-immigration laws are referred to relevant agencies.

Migration expos - “Australia needs skills expo”

India is a major source of skilled migrants to Australia.

‘Australia needs skills expos’ were held in Kolkata in March 2006 and Chennai in October 2005. These expos are ways for employers to attract qualified people to fill skilled positions where there is a shortage. Attendance is by invitation only to those who register and have the skills and general background, age and English language ability that employers seek.

The Kolkata expo focussed on engineer and trade occupations for the resources and mining industry. There are highly qualified resource industry workers available in West Bengal and the surrounding areas of Orissa, Bihar and Uttar Pradesh. There were 15 Australian exhibitors, including state governments. Almost 3000 people registered for the expo and 800 attended. Engineers, trades people, metallurgists and geologist were the major professions.

The Chennai expo similarly focussed on the skill sets available in a major industrial hub. There were 19 Australian exhibitors. 14,500 people registered an interest in the expo and 4225 were invited. 2214 people attended. The major occupations of those who attended were engineers, tradespeople, health professionals and finance and accountants.

Sponsored business visitor visa programme

The sponsored business visitor visa programme offers opportunities and streamline procedures for short-term business travel to Australia . Under this programme Australian State, Territory and Commonwealth Government agencies, as well as specified business organisations, are able to sponsor or vouch for individuals and business delegations intending short-term business visits to Australia.

On 1 March 2004, several initiatives were put in place to make the Sponsored Business Visitor visa programme more 'business friendly', including:

- broadening of the sponsorship base;
- repatriation of caseload processing to DIMA offices in Australia; and
- interactive partnerships between DIMA and sponsors.

Becoming a sponsor is free and very simple. Businesses just need to contact their local Business Centre for more information.

From Bollywood to Bondi

Streamlined entertainment visa processing by DIMA’s Sydney Entertainment Processing Centre facilitates travel by international film-makers to Australia.

A number of Bollywood movies have been made in partnership with the Australian film industry which has an excellent track record, good infrastructure and highly competent technical support/film crew.

Electronic student visa application option

DIMA introduced an online visa application service for Indian nationals resident in-country (the student eVisa service) in November 2004.

Processing times are substantially reduced compared to paper applications, with more than 60 per cent of electronic applications finalised within one month of lodgement.

As at 31 March 2006, 44 per cent of student visas from Indian nationals had been lodged electronically.

eVisa applications are lodged by education agents who are party to an eVisa access agreement with DIMA. The agreement sets out the conditions, obligations and performance standards for eVisa, and a code of conduct for participating agents. As at 30 March 2006 there were 56 participating agents.

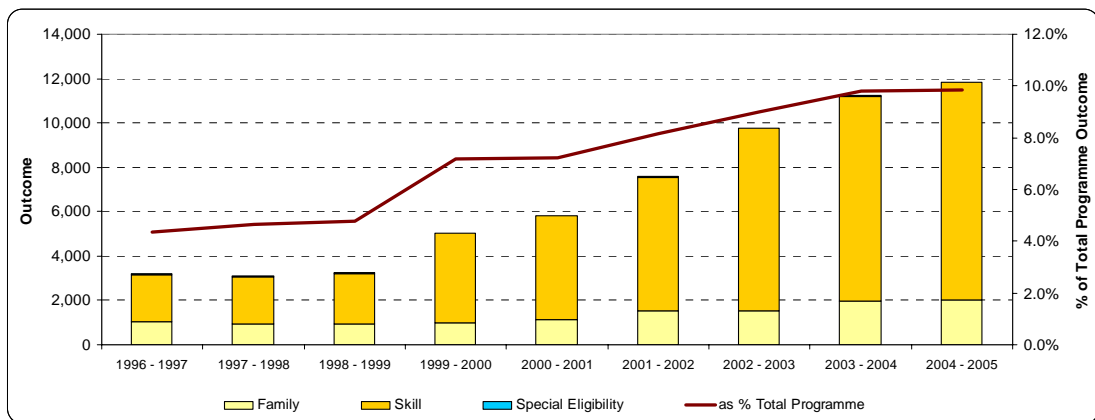
Indian diaspora in Australia

The Indian diaspora contributes richly to the cultural and economic benefits enjoyed by both countries. A Community Information Summary of the India-born community in Australia is attached to this submission.

India was the third largest source of migrants to Australia in 2004-05, accounting for 10 per cent of the total. The top two sources were the United Kingdom (22 per cent) and People Republic of China (12 per cent). India was also the fourth largest source country for Family Stream migrants in 2004-05 (behind the United Kingdom, China and the Philippines), accounting for five per cent of the total.

The number of Indian nationals migrating under the Skill Stream program increased more than four times in the period 1996-97 to 2004-05 and accounted for 13 per cent of the total in 2004-05, with India ranking second after the United Kingdom (25 per cent). Visas under the Spouse category rose two and half times over the same period.

Indian Permanent Migrants 1996-97 to 2004-05



Outcome for: India - All Locations Combined

Stream	Category	'96 – '97	'97 – '98	'98 – '99	'99 – '00	'00 – '01	'01 – '02	'02 – '03	'03 – '04	'04 – 05
Family	Spouse	583	662	578	760	912	1,187	1,216	1,379	1,500
	Fiance	43	64	45	57	73	93	113	123	127
	Interdependent	5	4	1	2	5	2	5	1	4
	Parent	297	43	184	17	9	34	23	237	190
	Designated Parent				16	41	8	1		
	Child	61	67	75	76	60	96	114	131	117
	Pref/Other Family	67	74	66	42	34	89	65	105	61
	Family Total	1,056	914	949	970	1,134	1,509	1,537	1,976	1,999
Skill	ENS/LA	142	199	185	199	373	434	357	377	494
	RSMS	3	8	39	20	51	49	82	135	133
	STNI			3		9	48	105	340	535
	Independent/ Skilled Independent	1,450	1,149	1,365	2,392	3,208	4,595	6,062	6,441	6,542
	SIR									221
	SAL/SAS	447	746	626	1,398	989	854	1,540	1,909	1,822
	Business Skills	20	41	42	43	43	76	57	35	64
	Distinguished Talent	9	3	6	4	1				9
	1 November Onshore	27	18	8	12	1				
	Skill Total	2,098	2,164	2,274	4,068	4,675	6,056	8,203	9,237	9,820
	Special Eligibility	42	17	8	3	3	8	9	12	4
	Programme Total	3,196	3,095	3,231	5,041	5,812	7,573	9,749	11,225	11,823

Visa approval rates and related matters

The approval rate for Indian visitor visa applicants continues to rise and is now only slightly lower than the global average for non-ETA visitor visas (92.3 per cent versus the global rate of 93.5 per cent).

At 31 March 2006 the approval rate for Indian student visa applications was 90.7 per cent (up from 80.6 per cent at the end of last programme year).

Of approximately 182,000 India-born persons who entered Australia in 2004-05, 4 were refused entry at the border due to fraudulent documentation or concerns about the person's *bona fides*.

Around 500 initial protection visa applications were lodged by Indian nationals each year in the period 2000-01 to 2004-05. Indian nationals account for about 8 per cent of 2005-06 applications received to 21 April. The primary approval rate for initial protection visa applications lodged by Indian nationals decided in 2005-06 was 0.5

per cent. This is significantly lower than the primary approval rate of all initial protection visa applications decided in 2005-06, which is 18 per cent.

Offshore Visitor Visa Approval Rate					
Citizenship	Year	Applications	Approvals	Refusals	Approval rate %
India	2002 - 2003	51,714	42,612	7,652	84.78
	2003 - 2004	60,874	51,215	8,183	86.22
	2004 - 2005	64,060	56,351	6,781	89.26
	2005 - 2006 as at 31 March 06	53,556	48,366	4,141	92.11
Global Total (for Non-ETA Visitor Visas)	2002 - 2003	576,873	506,727	64,002	88.79
	2003 - 2004	653,327	577,322	56,034	91.10
	2004 - 2005	683,856	619,044	54,143	91.96
	2005 - 2006 as at 31 March 06	541,774	501,527	35,900	93.32
Global Total (for ALL Visitor Visas)	2002 - 2003	3,304,691	3,233,077	64,465	98.05
	2003 - 2004	3,540,144	3,461,919	56,372	98.40
	2004 - 2005	3,655,560	3,588,947	54,605	98.50
	2005 - 2006 as at 31 March 06	2,848,502	2,806,498	36,195	98.73

At 21 April 2006, 22 Indian nationals were in immigration detention, 16 of whom were available for removal. From 1 July 2005 to 21 April 2006, 47 Indian nationals held in immigration detention were removed from Australia.

In 2004-05 DIMA located 1,022 Indian nationals who had overstayed or otherwise breached their visa conditions, a 3.2 per cent increase on the previous year. Of these, 264 were found to be working illegally. Some 1,228 Indian nationals were estimated to be overstaying their visas at 31 December 2005.

Strategic possibilities resulting from increasing globalisation and regional imperatives

Cooperation between Australia and India on migration management, border security and the response to extremism contributes to regional security.

Migration management

India and Australia are able to work constructively together in the global debate on migration management. Both are advocates for the expansion of legal migration opportunities, and are strong in opposition to irregular migration.

While India is not a member of the International Organization for Migration, like Australia it engages extensively in bilateral, regional and multilateral cooperation. India is an important voice in the Asia-Pacific region and will play an important role at the United Nations High Level Dialogue on International Migration and Development (HLD) to be held in September 2006.

India, like Australia, does not support the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (the Migrant Workers Convention), which does not distinguish between legal and illegal migrants in some provisions.

Border security

DIMA regularly discusses border security issues with India, including through an annual Joint Working Group on Counter-Terrorism and Immigration.

Professional exchanges on document fraud detection and identity management and on border management systems are strong areas of mutual interest. India intends to implement a system similar to Australia's Advance Passenger Information system. DIMA has offered to share expertise with the Indian Ministry of Home Affairs.

Australia and India are both participants in the Inter-governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC) and the Bali Process (Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime).

Although not a signatory to the Refugees Convention, India is a country of first asylum for refugees from a number of regional countries. Australia provides resettlement opportunities for some of these, including women at risk from Burma.

Response to extremism

India has extensive experience in managing diversity and preventing communal differences from developing into extremism. Senator Vanstone discussed this with Indian ministers and counterparts during her visit in March 2006.

There is scope for further bilateral exchanges of information on respective approaches to managing community harmony, including during the annual the Joint Working Group on Counter-Terrorism and Immigration.

The India-born Community

Historical Background

Indians were brought to Australia between 1800 and 1860 initially to work as labourers and domestics. Between the years 1860 and 1901 more Indians arrived and worked as agricultural labourers and as hawkers in country towns. A number of Indians also worked in the gold fields. The Indians were mainly Sikhs and Muslims from the Punjab region in northwest India and the majority settled in Woolgoolga in New South Wales. Today, the Sikh settlement in Woolgoolga is one of the largest Indian rural communities in Australia.

Migration from India was curtailed after the Australian Government introduced the Immigration Restriction Act 1901. Following India's Independence from Britain in 1947, the number of Anglo-Indians and India-born British citizens immigrating to Australia increased.

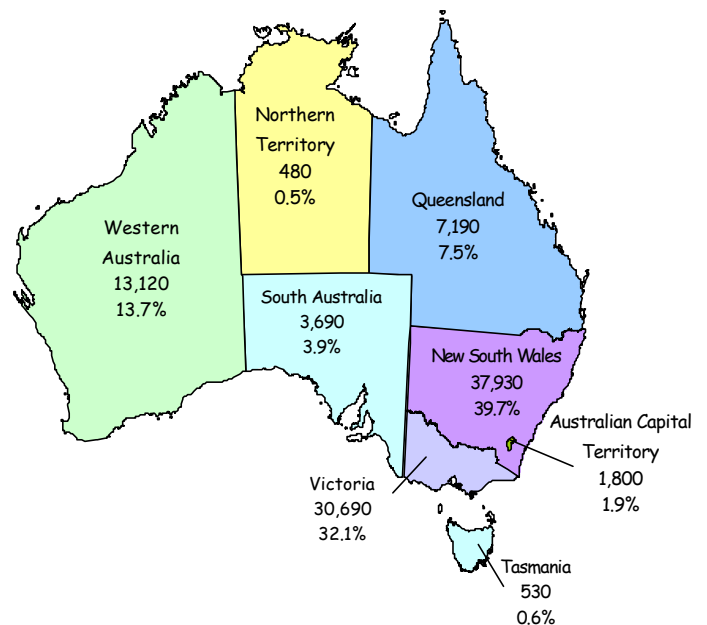
In 1966, the Australian Government changed its policies to permit non-European Indians to emigrate to Australia. By 1981, the India-born population numbered 41,657 and the new arrivals included many professionals, such as doctors, teachers, computer programmers and engineers. Unlike the earlier settlers, those arriving after the 1950s came from many parts of India and belonged to various religious linguistic and cultural groups.

While the majority of Indians are Hindus, some are followers of other religious faiths, such as Christianity, Islam, Sikhism, Buddhism and Jainism.

The Community Today

Geographic Distribution

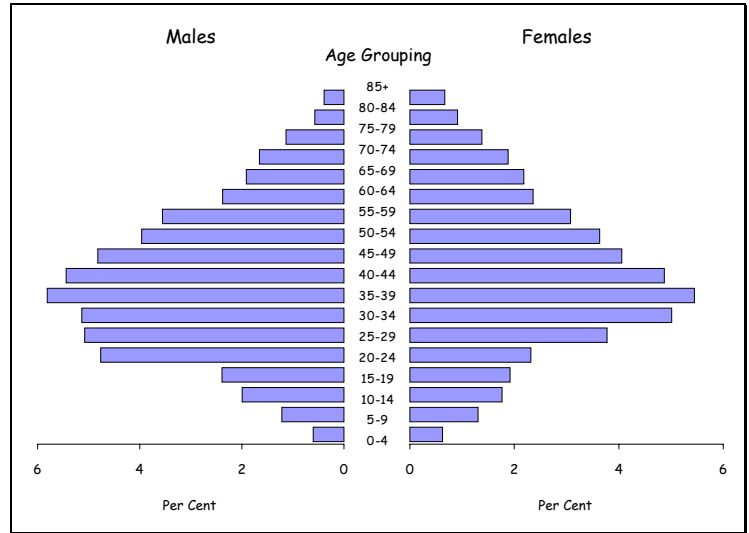
The latest Census in 2001 recorded 95,460 India-born persons in Australia, an increase of 23 per cent from the 1996 Census. The 2001 distribution by State and Territory showed New South Wales had the largest number with 37,930 followed by Victoria (30,690), Western Australia (13,120) and Queensland (7,190).



Age and Sex

The median age of the India-born in 2001 was 40.4 years compared with 46.0 years for all overseas-born and 35.6 years for the total Australian population. The age distribution showed 7.5 per cent were aged 0-14 years, 11.4 per cent were 15-24 years, 40.6 per cent were 25-44 years, 27.8 per cent were 45-64 years and 12.7 per cent were 65 and over.

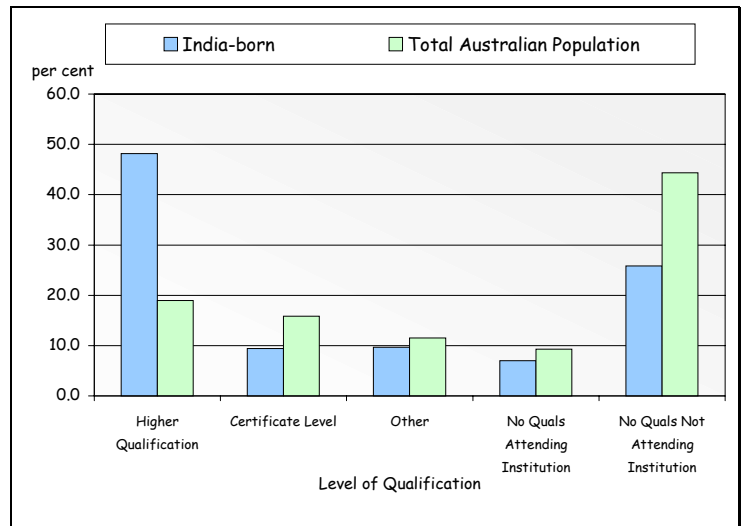
Of the India-born in Australia, there were 50,410 males (52.8 per cent) and 45,050 females (47.2 per cent). The sex ratio was 111.9 males per 100 females.



Qualifications

In 2001, of India-born people aged 15 years and over, 67.1 per cent held some form of educational or occupational qualification compared with 46.2 per cent for all Australians. Among the India-born, 48.1 per cent had higher qualifications* and 9.4 per cent had Certificate level qualifications. Of the India-born with no qualifications, 21.3 per cent were still attending an educational institution.

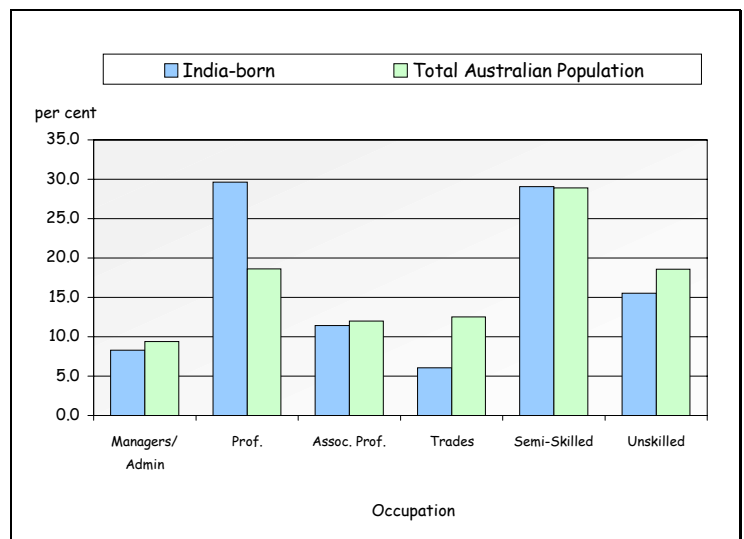
* Higher qualification includes Postgraduate Degree, Graduate Diploma & Graduate Certificate and Bachelor Degree Advanced Diploma & Diploma Level.



Employment

Among India-born people aged 15 years and over, the participation rate in the labour force was 67.5 per cent and the unemployment rate was 7.7 per cent. The corresponding rates in the total Australian population were 63.0 and 7.4 per cent respectively.

Of the 54,250 India-born who were employed, 55.4 per cent were employed in a Skilled occupation, 29.1 per cent in Semi-Skilled and 15.6 per cent in Unskilled. The corresponding rates in the total Australian population were 52.6, 28.9 and 18.6 per cent respectively.



Citizenship

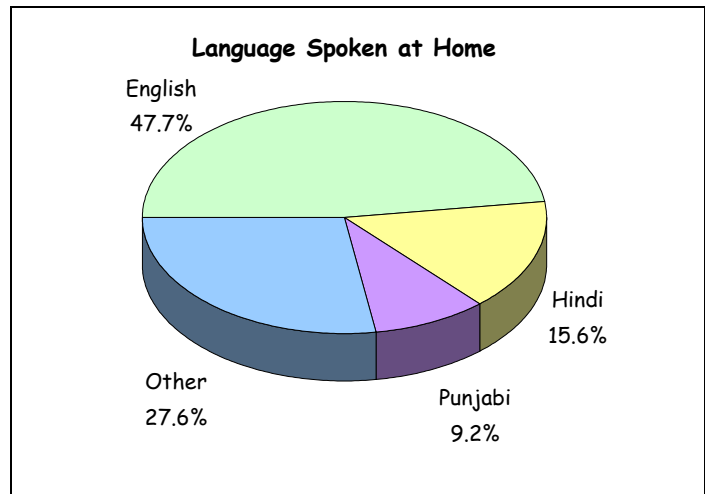
At the 2001 Census, the rate* of Australian Citizenship for the India-born in Australia was 79.7 per cent. The rate for all overseas-born was 75.1 per cent.

* Includes adjustments for people not meeting the residential requirement for citizenship, temporary entrants to Australia and underenumeration at the Census.

Language

The main languages spoken at home by India-born people in Australia were English (47.7 per cent), Hindi (15.6 per cent), and Punjabi (9.2 per cent).

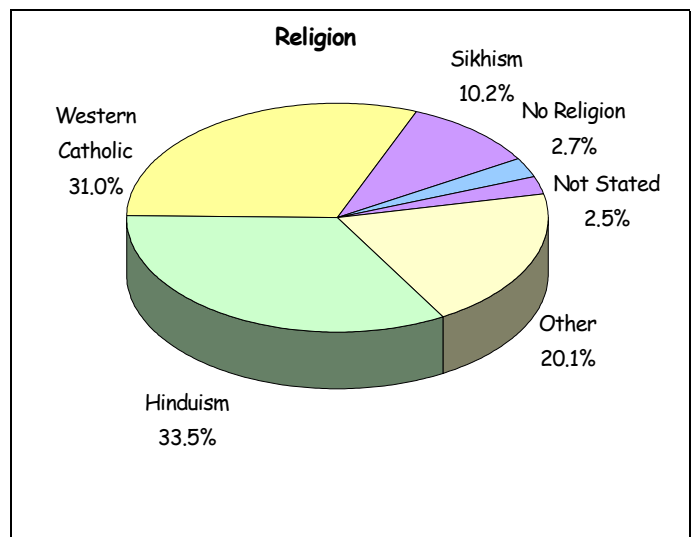
Of the 49,690 India-born who spoke a language other than English at home, 93.4 per cent spoke English very well or well and 5.8 per cent spoke English not well or not at all.



Religion

At the 2001 Census the major religions amongst India-born were Hinduism (31,920 persons), Western Catholic (29,540 persons) and Sikhism (9,740 persons).

Of the India-born, 2.7 per cent stated 'No Religion'. This was lower than that of the total Australian population (15.5 per cent)



Ancestry

In the 2001 Census, the top three ancestries that India-born persons reported were, Indian (61,650), English (9,690) and Anglo-Indian (6,200).

