



Submission No 42

**Review of Australia's Relationship with the  
Countries of Africa**

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Secretary:



**Australian Government**  
**Department of Immigration and Citizenship**

Dr John Carter  
Joint Standing Committee on Foreign Affairs, Defence and Trade  
jscfadt@aph.gov.au

Dear Dr Carter

Thank you for inviting the Department of Immigration and Citizenship (DIAC) to make a submission to the Committee's *Inquiry into Australia's relationship with the countries of Africa*.

Please find attached DIAC's submission, which has been approved by Senator Chris Evans, Minister for Immigration and Citizenship.

A hard copy of this submission will also be provided to the Committee this week.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Johnston', with a long horizontal line extending to the right.

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2 February 2010



**Australian Government**

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**Department of Immigration  
and Citizenship**

**SUBMISSION  
BY  
THE DEPARTMENT OF IMMIGRATION AND CITIZENSHIP  
TO THE  
JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS,  
DEFENCE AND TRADE**

**IN RELATION TO THE INQUIRY INTO**

**AUSTRALIA'S RELATIONSHIP WITH THE COUNTRIES OF AFRICA**

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## 1. GLOSSARY OF TERMS

Below is a brief description of some terms used throughout this submission:

<i>People from Africa</i>	This is a cover-all term to describe people who apply to come to Australia using a passport from an African nation.
<i>Africa-born</i>	This term is used to describe people born in African nations. In some areas of this submission and in some relevant publications, people are categorised according to their country of birth.
<i>Australian African Communities</i>	This term is used to describe African communities in Australia, whether or not the people living within those communities are Australian citizens, and without specifying their country of birth or ethnicity.
<i>African Australian</i>	This term refers to members of African communities residing in Australia regardless of whether those members are Australian citizens.
<i>African Regions:</i>	For brevity, some data has been aggregated by regions, although not all countries in those regions will necessarily be represented in the data. Countries by regions (according to the Standard Australian Classification of Countries, Second Edition) are as follows:
<i>Central and West Africa</i>	Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Cote d'Ivoire, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone and Togo.
<i>Southern and East Africa</i>	Angola, Botswana, Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mayotte, Mozambique, Namibia, Reunion, Rwanda, St Helena, Seychelles, Somalia, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.
<i>North Africa</i>	Egypt, Sudan, Libya, Morocco, Algeria and Tunisia.

## 2. EXECUTIVE SUMMARY

The Department of Immigration and Citizenship (DIAC) engages with the countries of Africa through managed migration involving the temporary entry and permanent stay of people from African countries. Hence, this submission relates primarily to the final category of the *Terms of Reference*, that of migration and human rights issues. However, in conducting its business DIAC touches each of the *Terms of Reference* in some capacity.

This Submission provides an overview of Australia's Migration and Humanitarian Programs in relation to the countries of Africa. The contents of this submission reflect DIAC's commitment to continued and where possible, enhanced engagement with the countries of Africa. One example of this is the planned re-establishment of a DIAC Regional Director for Africa position from mid-2010.

In the 2008-2009 program year:

- 8025 people from African nations were granted visas under the Skill Stream.
- 2290 people from African nations were granted visas under the Family Stream.
- 55 610 people from African nations were granted visas under the Visitor Visa Program.
- 7947 people from African nations were granted visas under the Student Visa Program – this included 192 visas sponsored by AusAID or the Department of Defence.

Africa is one of the three major regions from which Australia currently resettles refugees and persons in humanitarian need under the Humanitarian Program. In the 2008-2009 Humanitarian Program, 3493 People from African nations were granted visas. This included:

- 1756 visas granted under the Refugee category.
- 1737 visas granted under the offshore Special Humanitarian Program category.

DIAC has offices at five Australian Missions in Africa (in Pretoria, Nairobi, Cairo, Harare and Port Louis) to assist in the delivery of visa services for the Migration, Temporary Entry and Humanitarian Programs. Officers from Pretoria, Nairobi and Cairo engage with host countries and neighbouring countries for which they have responsibility. Through close engagement, DIAC officers are able to facilitate the movement of genuine travellers and effectively manage fraud and compliance issues so as to maintain the integrity of Australia's visa programs and prevent irregular migration.

This submission provides information on the settlement of African Australian communities as DIAC recognises Australia's relationship with the countries of Africa is influenced by the situation of African Australian communities. In recent years, the number of Africa-born people living in Australia has risen considerably. Census data shows that in 2006, there were 248 699 Africa-born people residing in Australia. To support African Australian communities, DIAC engages closely with African communities through its Community Liaison Officer network.

## 3. TERMS OF REFERENCE

*The JSCFADT shall inquire into and report on Australia's relationship with Africa, with special emphasis on:*

- bilateral relations at the parliamentary and ground levels
- economic issues, including trade and investment
- cultural, scientific and educational relations and exchanges
- development assistance co-operation and capacity building
- defence cooperation, regional security and strategic issues
- migration and human rights issues.

*The Committee will consider both the current situation and opportunities for the future.*

## 4. ENGAGEMENT WITH THE COUNTRIES OF AFRICA

### 4.1 Migration Program

Australia's Migration Program is made up of a Skill Stream, a Family Stream and the Special Eligibility Stream. The 'Migration Program outcome' provides an indication of the total numbers of people migrating from Africa to Australia in any given period. It is calculated by identifying the total number of visas granted less the number of visa cancellations for the same period.<sup>1</sup> South Africa is by far the largest source country of migrants from Africa. Migration Program outcomes from South Africa have increased from 5306 in 1999-2000 to 11 729 in 2008-2009. In 2008-2009, South Africa was the fourth largest source country for migrants across all streams (after the United Kingdom, India and China).

From 1999-2000 to 2008-2009 the Migration Program outcome for the Skill Stream in Africa was 80 252. Of this, 94.4 per cent (75 769) were from Southern and East Africa. South Africa, Zimbabwe, Mauritius, Kenya, Egypt and Nigeria all featured strongly. South Africa accounted for more than 70 per cent of the total African Skill Stream outcome, whilst Zimbabwe accounted for over 12 per cent.

From 1999-2000 to 2008-2009 the Migration Program outcome for the Family Stream for Africa was 22 290. Of this, 76.4 per cent (17 029) were from Southern and East Africa. South Africa, Egypt, Ethiopia and Ghana all featured strongly. Greatest representation came from South Africa with an outcome of 8867 which was slightly less than 40 per cent of the total African outcome.

#### Intercountry Adoptions of Children from Africa

DIAC's role in the adoption process is to provide a pathway to Australian permanent residency for the adopted children of Australian citizens, holders of Australian permanent visas, or eligible New Zealand citizens.

In the 2008-2009 program year, 63 children with citizenship of an African country were granted an adoption visa. Of these, 20 adoptions were privately arranged, whilst 43 involved an Australian adoption authority.

Ethiopian citizen children account for the majority of the adoption visa caseload and at the Australian Mission in Nairobi in the last two financial years, 97 per cent of Adoption visas have been granted to children from Ethiopia, whose adoptive parents have adopted them through the Australia-Ethiopia inter-country adoption program.

The numbers of adoptions from Ethiopia have remained relatively stable over recent years; however, at the end of 2008 Australia received a large number of allocations resulting in an increased number of visa applications in the 2008-2009 financial year.

The Attorney-General's Department has advised that Australia has only received 15 allocations in the 2009 calendar year so Adoption visa applications are expected to be fewer in the 2009-2010 financial year. Furthermore, the Attorney-General's Department has recently suspended Australia's intercountry adoption program with Ethiopia pending a formal review which is due to be finalised in early 2010.

### 4.2 Temporary Entry Program

Australia's Temporary Entry Program allows people from overseas to come to Australia on a temporary basis for specific purposes. The main streams of the Temporary Entry Program through which people from Africa enter Australia are the Visitor visa (including but not limited to Tourist visas, Business (short stay) visas, Medical Treatment visas and Sponsored Family Visitor visas) and Student visa programs.

#### 4.2.1 *Visitor Visa Program*

In the 2008-2009 program year 59 140 people from African nations applied for Visitor visas to enter Australia, from which 55 610 visas were granted. In the 2009-2010 program year (to 31 October 2009), Visitor visa lodgements from people from African nations are down 13.73 per cent from the same time in the previous program year. This decrease may be attributed to the global financial downturn.

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<sup>1</sup> As the Special Eligibility Stream makes up only one per cent of the total Migration Program outcome, it is not discussed further in this submission.

#### 4.2.2 *Student Visa Program*

In the 2008-2009 program year, 7947 Student visas were granted to people from African nations, a 2.4 per cent decrease compared to 8144 Student visa grants in 2007-08. Of these 7947 Student visas, 192 African students were granted Student visas sponsored by AusAid or the Department of Defence. All AusAid and Defence Students are processed as Assessment Level 2 applicants. See below for further information on Student Assessment Levels.

As at 30 June 2009, 13 012 persons from a range of African countries were present in Australia on a Student visa. The majority of African students indicated on their incoming passenger cards that they intended to reside in Victoria and Western Australia and study in the Higher Education and Vocational Education and Training (VET) sectors.

In the 2009-2010 program year, Student visa grants for applicants from African countries has decreased when compared to the same period the previous year. From July – September 2009, 1777 Student visas were granted to African nations, a 37 per cent decrease. Possible reasons for this include changed economic conditions, a rising Australian dollar and strengthened integrity measures.

On 20 August 2009, the Minister for Immigration and Citizenship, Senator Chris Evans, announced strengthened integrity measures for selected high-risk Student visa caseloads. This has, in part, contributed to a decrease in Student visa grants from those countries. Some African countries have been impacted.

There have been some reports from education providers that some students from African countries have been unable to pay tuition fees due to the difficulty with transferring funds to Australia. Genuine students who find themselves in financial difficulty are dealt with on a case-by-case basis by DIAC. Education providers are generally supportive of a student's efforts to continue their studies and some will allow students to make alternate arrangements for payment of tuition fees. Students who cannot make arrangements and are subsequently reported by their education provider for non-payment of education costs are not subject to mandatory cancellation. They are given adequate opportunity to find an alternative education provider or apply for another visa category.

##### *Student Assessment Levels*

All applicants for a Student visa, regardless of nationality, are required to meet certain objective and transparent criteria to be eligible for grant. These criteria are used to assess whether an applicant has a genuine intention to study in Australia and will abide by the conditions of their visa.

The criteria for the grant of a Student visa vary depending on the Assessment Level (AL) assigned by country and intended education sector. Assessment Levels range from AL1 (low risk) to AL5 (high risk) however no student cohorts are currently AL5. As a general rule, the higher the Assessment Level, the greater the requirements for evidence to be eligible for the grant of a student visa.

The evidentiary criteria that must be satisfied for the grant of a student visa include:

- **English Language Proficiency:** most AL 3-5 Student visa applicants are required to demonstrate that they achieved a requisite score in an International English Language Testing System (IELTS) test.
- **Financial Capacity:** students must generally declare and/or demonstrate that they have enough funds to support both themselves and any family members for the duration of their stay in Australia.
- **Other Requirements:** depending on education sector and AL, students may be required to demonstrate they have completed certain levels of previous education. For schools students, they must also satisfy age requirements.

Assessment Levels are determined regularly on the basis of objective data on the past performance of Student visa holders against particular immigration risk indicators. These indicators include student visa cancellations for breaches of visa conditions and students becoming unlawful in Australia.

The AL that applies to students from Africa depends on the performance of the student cohort. It ranges from AL1 for South African schools and post-graduate students to AL 3 and 4 for a range of other countries.



### **4.3 Visa Services in Africa**

Australian DIAC officers are present in three Australian diplomatic missions in Africa: in Pretoria, Nairobi and Cairo. There are also two satellite posts in Port Louis and Harare, staffed by locally engaged officers, at which visa applications are received.

Officers in Pretoria, Nairobi and Cairo have responsibility for DIAC operations in Africa and, in certain circumstances, work with Service Delivery Partners (SDPs) to deliver visa services throughout Africa. SDPs are separate commercial entities which provide a range of visa support services to Australian Missions overseas including receiving visa applications, answering basic pre and post lodgement enquiries and (currently) collection of visa application charges.

#### **4.3.1 Service Delivery Arrangements**

A large range of permanent and temporary entry visa applications are lodged, processed and decided by DIAC officers in Pretoria, Nairobi and Cairo. Officers from these missions visit countries within their areas of responsibility to monitor, appoint and report on panel doctors, conduct refugee and permanent migration interviews and liaise with local United Nations High Commissioner for Refugees (UNHCR) offices, International Organization for Migration (IOM) offices, and education and travel agents.

##### **Service Delivery from Pretoria**

DIAC's office in Pretoria has immigration responsibility for the following countries: South Africa, Angola, Benin, Botswana, Cape Verde, Comoros, The Gambia, Guinea, Guinea-Bissau, Ivory Coast, Lesotho, Liberia, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Nigeria, Reunion Islands, Sao Tome & Principe, Senegal, Seychelles, Sierra Leone, Swaziland, Togo, Zambia and Zimbabwe. DIAC Pretoria also oversees Australian immigration functions in Harare and Port Louis.

DIAC Pretoria has SDP arrangements in South Africa and Nigeria. Under these arrangements, DIAC's SDP provides a visa application lodgement service, offering more convenient locations and office business hours to clients wishing to submit visa applications for Australia. The SDP in each country also offers an application lodgement service for clients living in surrounding countries, via sub-contracted courier arrangements.

DIAC Pretoria supervises two satellite DIAC offices, based at the Australian Embassy in Harare and the Australian High Commission in Port Louis. DIAC Harare and DIAC Port Louis accept and process temporary visa applications on site. Permanent visa applications are transferred to DIAC Pretoria for processing. Australian DIAC staff in Pretoria conducts regular liaison visits to Harare, Port Louis and Nigeria to oversee operations and conduct interviews.

##### **Service Delivery from Nairobi**

DIAC Nairobi has immigration responsibility for: Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Democratic Republic of Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Kenya, Mali, Mauritania, Niger, Republic of Congo, Rwanda, Somalia, Tanzania, and Uganda.

Currently, DIAC Nairobi does not utilise SDPs in any other country for which it is responsible for visa application lodgements and processing. A significant proportion of temporary visa applications are from Kenyan nationals. The majority of Nairobi's Humanitarian visa applications are lodged directly at the Australian Mission, following a referral of the case from the UNHCR.

##### **Service Delivery from Cairo**

The Cairo office has immigration responsibility for the following countries: Egypt, Algeria, Libya, Morocco, Sudan and Tunisia. Permanent visa applications are lodged, processed and decided in Cairo by DIAC officers, whilst DIAC funded Locally Engaged Staff (LES) make decisions on a range of temporary visa applications.

DIAC Cairo has a direct client service approach and like DIAC Nairobi, does not utilise SDPs. DIAC Cairo processes a steady flow of family migration applications, particularly from Egyptian, Sudanese and Moroccan nationals. More than 3000 temporary entry visa applications are processed in Cairo each year, the vast majority of which are lodged by Egyptians.

#### **4.3.2 *Enhancing Service Delivery in Africa***

Under its Client Services Transformation Strategy (CSTS), being implemented over the coming years, DIAC is developing a global client services delivery model with a strong focus on client service excellence, integrity and efficiency.

Simplified lodgement processes and better integration of client services channels (telephone, internet, paper and face-to-face) will provide greater choice, removing restrictions on where and how clients may lodge an application. 'Service Centres' that can support and interact with clients across multiple channels will handle the bulk of client queries not catered for by the website. Enhancement of the role of SDPs will expand DIAC's footprint and deliver improved client access. This, together with sophisticated risk tiering, will allow work to be undertaken in the most appropriate location. DIAC is reviewing its overseas footprint in the context of the Client Services Transformation Strategy.

DIAC currently has a Regional Director responsible for the Middle East and Africa located in Dubai. Given the increasing significance and complexity of Australian operations in Africa, from mid 2010, DIAC will re-establish a distinct position for a Regional Director located in Africa. The role of the Regional Director for the Africa Region is being finalised. The role will include strategic and operational input into DIAC's transformation to the new client service strategy.

These initiatives are designed to enhance the client experience and lead to reduced overall processing times.

#### **4.4 Tackling Irregular Migration**

Africa remains a high risk environment as immigration fraud, people smuggling and human trafficking within and from Africa remains rife. Key compliance issues reported by Australian Missions in Africa include:

- increased use of fraudulently obtained passports and high incidence of document fraud
- lack of documentation presented for verification purposes
- identity and family composition fraud
- general dysfunction among border security agencies
- corruption within governance structures
- people smuggling
- child trafficking
- unscrupulous agents misrepresenting Australia's visa programs.

Integrity and compliance issues within the African caseloads are managed by DIAC from its Pretoria, Nairobi and Cairo offices which are supervised by Australian-based staff. The presentation of fraudulent documentation and identity fraud are common across most caseloads, many of which are complex, involve a high level of bona fides checking and have relatively high refusal rates. DIAC officers remain vigilant in processing applications from high risk countries.

#### **4.5 Engagement With African Governments**

DIAC officers in Africa engage closely with host countries and neighbouring governments in a bid to stem illegal migration and assist local authorities to enhance their capacity to manage their borders with high integrity. Examples of these activities include assisting African governments with identity and other document verification and providing training on document examination.

DIAC enjoys strong cooperation with government authorities in South Africa, airlines and other governments represented in Africa, to detect and prevent immigration fraud and irregular people movements thereby contributing to Australia's immigration compliance program. A South African delegation visited Australia in 2009 to discuss Australia's experience in implementing the Advance Passenger Processing system.

Australia has a very good practical level relationship with Mauritius on immigration issues, particularly at the International airport. In recent years, cooperation between DIAC Pretoria and the Australian Mission in Pretoria and Port Louis with the Mauritian authorities has been strong, leading to arrests and prosecutions for immigration fraud and deregistration of unscrupulous education agents.

DIAC has implemented streamlined visa processing arrangements for Nigerian federal government officials and diplomats whereby their applications are sent electronically to DIAC Pretoria for assessment. If applications are approved, pre-printed visa labels are affixed into their passports by staff at the Australian High Commission in Abuja. Such applications are processed in 2-5 working days.

The Government of Botswana has a strong program of government-funded scholarships for Botswana nationals to study in Australia. DIAC Pretoria engages regularly with the Botswana government to discuss student visa requirements and ensure the smooth processing of visa applications for Botswana scholarship holders.

DIAC Nairobi works closely with agencies in Kenya, Ethiopia and Ghana and hosts on a rotating basis the thrice yearly Immigration Liaison Kenya meeting, attended by Kenya Immigration, airlines and airport staff, and representatives of other missions.

DIAC's Cairo office engages with the Egyptian Government and neighbouring governments in Libya, Sudan, Morocco, Algeria and Tunisia. There has been contact with authorities in Tripoli through the Ambassador, PMO and Austrade's Consul-General with the Libyan Government regarding access to Australian visas, in particular for government funded scholarship students, and collaboration on ways to minimise processing times.

In 2009, DIAC hosted a six week study tour by a senior official of the Rwandan Directorate General of Immigration and Emigration with a view to enhancing the capacity of the Rwandan agency. During the study visit, the official was provided with formal and informal learning opportunities in a variety of policy and operationally focused areas in DIAC, the Australian Passports Office of the Department of Foreign Affairs and Trade, the Australian Customs and Border Protection Agency and the Australian High Commission in Nairobi. Australian officers in each of these agencies worked with the official to enhance his understanding of immigration related processes and procedures and assist him to develop strategies for managing an effective and efficient public sector organisation.

#### **4.6 Onshore Compliance Issues**

There were 161 persons removed to the African sub-continent in the 2008-2009 program year. Of these, 14 were involuntary removals.

DIAC encourages all clients to make their own arrangements to depart voluntarily. Where a client does not have the means to depart voluntarily, they may be referred to International Organization for Migration (IOM) who will make an assessment as to whether the person is eligible for support under the assisted Voluntary Returns program.

##### **4.6.1 *Engagement with African Missions in Australia***

Problems can arise with clients who arrive in Australia from Africa without documentation, false identities, bogus travel documents and/or they refuse to cooperate in providing accurate personal details or complete travel document application forms.

DIAC's Identity Resolution Centre and National Identity and Verification Advice units in Australia occasionally task DIAC officers in Australian Missions overseas to approach various African embassies, consulates and host governments for assistance with the verification of identity.

DIAC is in frequent contact with officials from many of the African High Commissions in relation to travel document applications for clients on a removal pathway. These relationships are strong and cooperative, particularly with South Africa, Nigeria, Ghana and Kenya. DIAC is committed to maintaining a positive relationship with African missions in Australia and demonstrated this in 2009 by hosting a Document Examination Laboratory familiarisation tour and overview for staff of African missions in its Canberra laboratory.

#### **4.7 The Humanitarian Program**

Australia's Humanitarian Program comprises two components: an offshore component for the resettlement of refugees and others in humanitarian need and an onshore component for those in Australia who are found to engage Australia's protection obligations under the *Refugees Convention*. In the 2009–2010 program year, there are 13 750 places: 6000 places for the resettlement of refugees from offshore and 7750 places for the offshore Special Humanitarian Program (SHP) and for the onshore component of the Program.

##### ***4.7.1 Resettlement from Africa: Offshore Humanitarian Program***

Under the Offshore Humanitarian Program, Australia offers resettlement to refugees and to persons in humanitarian need who have suffered discrimination amounting to gross violations of their human rights (the offshore SHP). Most refugee applicants are referred to DIAC by the United Nations High Commissioner for Refugees (UNHCR). SHP applicants are proposed for entry by an Australian relative or community organisation. SHP applications for persons in Africa are lodged by the proposer at DIAC's NSW office. This office undertakes an initial assessment and where applicants appear to satisfy threshold criteria, the application is referred to the relevant African post for further processing and final decision. If after initial assessment, the applicant does not satisfy threshold criteria, their application is refused by the DIAC NSW office.

Australia's Humanitarian Program responds to changing global resettlement needs. Australia works closely with the UNHCR in identifying emerging resettlement needs and changing resettlement priorities in Africa and around the globe. In line with these changing needs, the proportion of African entrants within the Humanitarian Program has changed over the last few years. In 2003-04, African entrants comprised around 70 per cent of the offshore Program. This proportion decreased in 2007-08 and 2008-2009, with African entrants making up around one third of the offshore Program. In 2008–09, 3493 persons from Africa were granted visas under the offshore component of the Program:

- 1756 visas were granted under the Refugee category; and
- 1737 visas were granted under the offshore SHP category.

More than 48 000 humanitarian visas have been granted to Africans in the last 10 years.

Australia remains committed to assisting refugees and others in humanitarian need from Africa and will continue to resettle people from Africa under the 2009-2010 Humanitarian Program. This includes a greater focus on the resettlement of refugees in protracted situations.

##### **DIAC Funded UNHCR Resettlement Projects in Africa**

For many years, Australia has funded projects that assist in the delivery of the Humanitarian Program. Projects are assessed and measured on how they will directly assist the humanitarian program primarily through enhancing UNHCR's capacity to provide referrals. Projects also focus on capacity building and enhancing our relationship with UNHCR. In 2009, DIAC provided USD66 000 to support the UNHCR-International Catholic Migration Commission resettlement project in Nairobi, Kenya.

##### **Support Provided Through the International Organization for Migration**

DIAC also funds the IOM for travel, medical and related services to assist Refugee and Special Humanitarian Program clients.

### Mobile Team Visits to Africa

Mobile Team Visits (MTVs) provide DIAC officers in Australian Missions in Africa with targeted resources to assist with the delivery of the Refugee and Special Humanitarian Program. As program composition changes in line with resettlement needs, MTV support is also realigned to provide targeted assistance to the overseas service delivery network.

MTVs have been in operation since 2003 and are accessed by overseas posts with significant Refugee & Special Humanitarian Program (RSHP) caseloads to complement their existing interview schedules. RSHP clients who present for interview have fled from persecution or substantial discrimination amounting to gross violation of their human rights in their home countries. They are often living in insecure circumstances in refugee camps or may be living illegally in their country of first asylum. Many applicants have been living in these circumstances for a number of years. Interviewing officers are operating in a cross cultural context and commonly deal with applicants who have been subjected to trauma.

#### **4.7.2 Onshore Protection Program**

The Onshore Protection Program allows people who are already in Australia to stay in the country if Australia is found to owe protection obligations under the Refugees Convention and Protocol.

In recent years, asylum seekers from Africa have usually accounted for less than ten per cent of all applications for Protection visas, with Egypt and Zimbabwe together accounting for around half of these. An unusual increase in 2008-2009 was due to applications lodged by World Youth Day and the Homeless World Cup attendees, with lodgements subsequently returning to normal levels. Grant rates vary across citizenships, with numbers for any given citizenship generally too small to draw any statistically valid generalised conclusions (the exception to this is Zimbabwe).

## **5. AFRICAN COMMUNITIES IN AUSTRALIA**

### **5.1 Settlement Patterns**

Information on the settlement in Australia by people born in Africa can be obtained from the Australian Bureau of Statistics, *CENSUS 2006 – People Born in Africa*<sup>2</sup>, as well as from DIAC publications, such as *Settler Arrivals*, available on DIAC's website<sup>3</sup>.

### **5.2 Engagement with African Communities in Australia**

DIAC engages closely with African communities in Australia through Community Liaison Officers (CLOs). DIAC CLOs foster connections, provide a two-way flow of information, and have an understanding of key issues facing African Australians. This allows DIAC to be well placed to work with communities to address concerns and encourage the development of cohesive and harmonious relations within and amongst African and other communities in Australia.

DIAC is aware that as is common in newly established migrant communities, particular issues of concern have arisen amongst African Australian communities. Examples include:

- difficulties in dealing with traumatic histories which may have involved a significant level of violence and loss of family and friends
- challenges to family gender roles and traditional family structures
- differing rates of adjustment to Australian society between African youth and their parents
- lack of understanding about legal rights and responsibilities, including in situations where racism, discrimination or domestic violence occurs
- shortage of affordable, suitable private rental accommodation and long waiting periods for public housing

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<sup>2</sup> <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/3416.0Main+Features32008>

<sup>3</sup> [http://www.immi.gov.au/media/publications/statistics/settler-arrivals/settler\\_arrivals0809.pdf](http://www.immi.gov.au/media/publications/statistics/settler-arrivals/settler_arrivals0809.pdf)

- lack of cultural sensitivity by healthcare providers in treatment options for mental illness, and in providing aged care
- lack of acknowledgment of professional qualifications by employers;
- lack of affordable childcare
- negative connotation of the 'refugee' label amongst the general public
- pressures of having to support families in source countries and sponsor family members attempting to visit or live in Australia
- concerns about political situations in home countries.

### 5.2.1 *Support for African Australian Communities*

Recognising the difficulties that humanitarian and other entrants face, DIAC has introduced a range of initiatives to strengthen the settlement prospects of all members of African Australian communities.

The *Australian Cultural Orientation Program (AUSCO)* introduces humanitarian entrants to Australian life before they arrive in Australia. This helps participants to develop realistic expectations for their lives in Australia and enhances their settlement experience by assisting them to learn about Australian laws, values, lifestyle and culture.

AUSCO courses are funded by DIAC and delivered by the International Organization for Migration. Since September 2006, 257 AUSCO Courses have been delivered in Africa, with 4320 participants. In addition, four visits to East and West Africa have been undertaken by visiting settlement advisers to assist local AUSCO trainers with curriculum development.

*DIAC's Integrated Humanitarian Settlement Strategy (IHSS)* aims to help humanitarian entrants achieve self-sufficiency as soon as possible by providing them with specialised settlement services for approximately 6 months (with a possible 6 month extension).

Service providers contracted to DIAC deliver IHSS services. These include on-arrival reception and initial orientation, information about and referral to other services and mainstream agencies, assistance with accommodation and a package of basic household goods and short term torture and trauma counselling. Volunteer groups work with service providers to support entrants and assist them to settle into the local community.

*The Settlement Grants Program (SGP)* provides another level of settlement support by funding organisations to deliver projects targeting refugees and humanitarian entrants from African backgrounds where particular needs have been identified.

These include projects that target specific sub groups within African communities, such as youth and women. The projects assist clients to overcome issues related to health, housing, education, employment, legal, and social aspects of settlement in Australia.

The *Adult Migrant English Program (AMEP)* provides English language tuition to adult entrants who do not have functional English. The Australian Government encourages eligible migrants and humanitarian entrants to undertake free English language tuition which will not only assist them to participate fully in Australian life, but also help with finding employment, becoming independent and applying for citizenship.

Additional tuition is also available for humanitarian entrants, many of whom are from African nations, with low levels of schooling, or who have had difficult pre-migration experiences such as torture and trauma, through the *Special Preparatory Program (SPP)*. The *AMEP* also provides other additional hours for migrants to gain the language skills needed to participate in the Australian workforce. This is provided through the Employment Pathways and Traineeships in English and Work Readiness programs which were recently introduced by the Australian Government. These programs help people with low levels of literacy to learn English while becoming familiar with Australian work place culture and practices by offering a combination of specific English language tuition with work placement and experience.

The *Translating and Interpreting Service (TIS)* provides translating and interpreting services to enable communication between non-English speakers and approved individuals and organisations, including doctors in private practice and pharmacies. TIS National is accessible from anywhere in Australia and telephone interpreting is available 24 hours a day, 7 days a week. DIAC also provides eligible Australian residents and citizens with free extract translations into English of their settlement-related personal documents. Since 1 July 2004, TIS National has recruited 231 interpreters, covering 47 African languages and dialects. TIS National has delivered approximately 50 000 interpreting services in the African languages over the past financial year.

*Australia – A New Home*, is a DVD released by DIAC which aims to give new arrivals the opportunity to review important settlement information in their own home, as often as required, in their first few weeks in Australia. The DVD includes information on housing, health, education, money, work, family, Australian law and living in the community. The DVD is dubbed into key African languages such as Amharic, Dinka, Kirundi, Sudanese Arabic, Swahili and Tigrinya, with English subtitles.

The *Complex Case Support (CCS)* program was introduced nationally in October 2008, to deliver specialised and intensive case management support to humanitarian entrants whose needs extend beyond the scope of core settlement services (such as the Integrated Humanitarian Settlement Strategy and the Settlement Grants Program). Clients are eligible for CCS services for up to five years after their arrival in Australia. Flexibility may be shown to this time frame on a case by case basis.

*Unaccompanied Humanitarian Minors (UHMs)* are non-citizen children under the age of 18 years who have been granted visas for resettlement or have been found to be refugees in the onshore asylum process and do not have a parent to care for them in Australia. UHMs who do not have a relative over the age of 21 become wards of the Minister for Immigration and Citizenship under the Immigration (Guardianship of Children) Act 1946 (IGOC Act).

The Minister's functions as guardian under the IGOC Act are delegated to officers in the child welfare agency in each state and territory. Services provided by these agencies include monitoring of care arrangements by a case worker and assistance with clothing, food, housing and educational requirements. UHMs also receive services under the *Integrated Humanitarian Settlement Strategy*.

As at 31 October 2009 African minors made up 61 per cent of the UHM Program. Of these the majority came from Sudan, Democratic Republic of the Congo or Liberia.

### **5.2.2 Enhancing Community Relations**

The *Diverse Australia Program (DAP)* is primarily a community-based engagement strategy for all Australians which aims to address issues of cultural, racial and religious intolerance by promoting respect, fairness, inclusion and a sense of belonging for everyone. It provides funding, education and information to help organisations create a spirit of inclusiveness and fairness for all Australians, regardless of their cultural background or circumstance.

The *National Action Plan to Build on Social Cohesion, Harmony and Security (NAP)* was developed by the Ministerial Council on Immigration and Multicultural Affairs on 2005-06, at the request of the Council of Australian Governments. The NAP is a social policy program which responds to the particular pressures some Australian communities are facing as a result of increased intolerance and the promotion of violence arising from events around the world and in Australia since 2001. It addresses marginalisation, promotes understanding, inclusion and dialogue among all Australians. As the coordinating agency, DIAC funds relevant Australian Government agencies to deliver NAP activities, and reports annually to Ministerial Council on Immigration and Multicultural Affairs.

In the last ten years, more than \$6 million in community grants funding has been provided under the DAP and the NAP, for 220 projects for community relations activities seeking to involve members of the African community. Currently, there are 52 projects totalling over \$900 000.



*Interpretation Matters* is a DAP Project delivered by Springvale Learning and Activities Centre in Victoria, and is one of 48 DAP projects aimed at enhancing relationships between African Australian communities and the broader community. The project aims to enhance communication and understanding between Sudanese Australians and Victoria Police. Project activities include police academy tours for Sudanese youth, focus groups between police and Sudanese community representatives to examine instances of confrontation, and developing strategies to resolve them, and relationship building activities, such as basketball and pool competitions and Harmony Day events. DAP also funded the production of a 10 minute DVD of Interpretation Matters to promote the principles of respect and fairness, cultural issues, and the rule of law and authority.

Examples of other 2009 Projects can be found at: <http://www.harmony.gov.au/funding/community-grants>.

### 5.3 Australian Citizenship

Information about Australian Citizenship can be found at: <http://www.citizenship.gov.au/>.

In 2008-2009, 9841 people from African nations were conferred Australian citizenship, accounting for 11.3 per cent of all Australian citizenship conferees in 2008-2009. The table below shows the top ten conferee countries from Africa in 2008-2009.

<b>Previous country of nationality or citizenship</b>	<b>Persons</b>
South Africa	4128
Sudan	1430
Zimbabwe	803
Egypt	523
Liberia	381
Kenya	308
Mauritius	303
Sierra Leone	282
Ethiopia	259
Burundi	214
<b>Total</b>	<b>8631</b>