

Migration profile AUSTRALIA

A. Executive Summary

The Commonwealth of Australia is located in the Indo-Pacific region and is part of the Oceania continent. The Australian Constitution from 1901 established a federal system of government in the country. Despite being rich in natural resources and having extensive fertile land, more than one-third of its territory is desert, and most of its population lives in the southeastern coastal area. The control of the Indo-Pacific region and is part of the Oceania continent.

Australia is one of the most multicultural countries in the world and an important destination for migration flows, hosting people from almost 200 different countries. In 2020, immigrants were mainly UK citizens, Chinese, New Zealanders, Indians, and Filipinos.ⁱⁱⁱ Regarding internal migration, the Gold Coast is the most popular destination. In 2022 there was an increase in regional movements, motivated by a higher number of job vacancies becoming available after the lockdowns of the Covid-19 pandemic.^{iv}

The country also hosts many refugees and asylum seekers, mainly coming from Iran, Afghanistan, Pakistan, Iraq, and Sri Lanka. Forced internal displacements remain a concern, caused by earthquakes, floods, storms, wildfires, and other natural disasters. As for Australian citizens moving abroad, the main destination countries in 2019 were the United Kingdom, the United States, New Zealand, Canada, and Italy.

Australia is one of the most vulnerable countries due to its climate change and high carbon emissions per capita, with its coal-based economy. Droughts, forest fires and degradation of the Great Barrier Reef affect the country's energy deposits. VIII Australia has an open economy with minimal restrictions on imports. Its main economic sectors are services and goods. The country remains a significant exporter of natural resources, energy, and food. In previous years, the Covid-19 pandemic also had a damaging impact on the country's economy.

In 2021 Australia's GDP amounted to US\$ 1,552,667,360,ix experiencing an annual growth rate of 2.2%.x Foreign Direct Investment (FDI) net inflows in 2020 represented 1.9% of the country's GDP.xi The inflation rate in 2021 was 2.9% of its GDP compared to 0.8% in the previous year.xii

B. Country Profile

I. Basic Information

Australia is an island country and does not have any land borders with other countries. Instead, it shares maritime borders with Timor Leste, Indonesia, New Zealand, Papua New Guinea, Solomon Islands, and the islands of New Caledonia. XIII It is the flattest and one of the

largest countries on earth, as well as the largest area of its continent comprising most of Oceania.xiv Australia has three regions: the Western Plateau, the Central Plains, and the Eastern Highlands.xv It is divided into six state governments (New South Wales, Victoria, Queensland, Western Australia, South Australia, and Tasmania) and two internal territories (the Northern Territory and the Australian Capital Territory).xvi

It has an area of 7,692,020 sq. km and a population of 26,341,898.xvii Its capital city, Canberra, has 367,752 inhabitants.xviii Australia has no official language, but (Australian) English is considered the national language. After English, the most common ones are Mandarin (2.5%), Arabic (1.4%), Vietnamese (1.2%), Italian (1.2%), and Cantonese (1.2%). Creole (Torres Strait and Kriol) and aboriginal languages (such as Kalaw Lagaw, Tiwi, Warlpiri, Walmajarri, etc.) are also spoken in some areas. In addition, there are many other European and Asian languages used.xix Christianity accounts for 43.9%, non-religion 38.9%, Islam 3.2%, Hinduism 2.7%, and Buddhism 2.4%.xx English (33%) is the main ethnic group, followed by Australian (29.9%), Irish (9.5%), Scottish (8.6%), Chinese (5.5%), Italian (4.4%), German (4%), Indian (3.1%), Aboriginal (2.9%), Greek (1.7%), Filipino (1.6%), Dutch (1.5%), Vietnamese (1.3%), and Lebanese (1%).xxi

II. International and Internal Migration

In 2020, immigrants in Australia amounted to 7,685,860. 49.6% of them were men, whereas the remaining 50.40% were women. UK citizens constituted 16.72% of the foreign population living in Australia, meanwhile Chinese were 8.50%, New Zealanders 7.95%, Indians 7.54%, and Filipinos 3.73%.xxii

Permanent or temporary residents include foreign students (whose number is quite high), temporary skilled immigrants, and working holidaymakers. Moreover, many citizens coming from the Pacific Island countries are usually employed as seasonal workers in Australia through the Seasonal Worker Program. In April 2022, there were more than 23,000 Pacific and Timorese employees in Australia, but their number is expected to rise thanks to the Seasonal Worker Program and the Pacific Labour Scheme.xxiii

Recently, foreign permanent residents have included many Asian highly skilled immigrants. In 2010, many first-generation Chinese, Indians, Malaysians, Filipinos, and Vietnamese held a Higher Education Certificate.xxiv A growing number of skilled workers arriving from African countries are also settling in Queensland, including teachers, doctors, accountants, nurses, and engineers. Despite their good level of education, most highly qualified black African immigrants still occupy low-skilled jobs such as cleaning services, care of the sick and aged, meat processing, taxi driving, security and building maintenance. They often face problems in the country like language and cultural barriers, as well as discrimination.xxv

Migration dynamics are constantly evolving. Many of these migrants move back and forth between Australia and their countries of origin, or other countries and regions within Australia. Asian migrant workers engage in multiple trajectories looking for better job opportunities, such as sponsored contracts and bilateral agreements between the Australian Government and Chinese, Indian, or Vietnamese Governments. Moreover, a big number of Taiwanese and South Koreans come to Australia through non-sponsored schemes.xxvi

The Australian Government has also introduced the Australian Agriculture Visa to address workforce shortages in the agriculture sector. It aims to support existing programs to attract

skilled and unskilled workers in various sectors and industries, including horticulture, wool, forestry, dairy, grains, and fisheries, as well as support services and primary processing activities. Vietnamese and Indian Governments are actively cooperating since a Memorandum of Understanding is required to be signed before any worker arrives in the country.xxvii

Urban-to-rural migration increased during the Covid-19 pandemic, although this trend has been mitigated once the severe capital city lockdowns were lifted. The most popular migration destinations are the Gold Coast, the Sunshine Coast, the Greater Geelong, Wollongong, and Newcastle. An increase in job vacancies has also motivated these regional migration movements. In particular, Sydney accounted for 61% of all capital city outflows in 2022, followed by Melbourne.xxviii

III. Emigration and Skilled Migration

According to the United Nations, in 2019 there were 577,338 Australian citizens residing abroad.xxix Their main destination countries were the United Kingdom (145,692 emigrants), the United States of America (96,426), New Zealand (66,978), Canada (22,482), and Italy (20,217).xxx Female emigrants were more than male ones. The region with the highest emigration rate in the country was Sydney.xxxi

Australia has a special arrangement with New Zealand, allowing almost free mobility between the two countries. The Australian diaspora in the United Kingdom has been determined by historical reasons and the importance of London as a global city attracting highly skilled Australians. They also migrate to New York and Los Angeles for labour opportunities. Emigration to large cities in continental European countries is partly due to the return of former settlers, many of whom hold a dual citizenship. There is a further migration flow involving Asia and the city-states of Hong Kong, Singapore, and China.xxxii

In comparison with many other countries, the emigration phenomenon has had a positive net in Australia (last CEDA report from 2003), as the country experienced "brain circulation" due to the return of Australians and the arrival of skilled immigrants in the country. Nowadays, there are some concerns about Australian scientists emigrating abroad, mainly to the United States.**xxiii

On its official page, the Government of Australia indicates that as a permanent national resident a person does not have an immediate right to return to the country from overseas. XXXIV It depends on the validity of his travel documents or permanent visa. XXXIV Australians who wish to return need to apply for a Resident Return Visa if their visa has expired or if they have given up their citizenship. XXXIVI When leaving the country, the government makes some recommendations and offers assistance programs for return and reintegration in Australia. XXXIVII

In 2021, remittances represented 0.1% of the Australian GDP.xxxviii The government is committed to advocating for accessible and affordable remittance flows and recognises the importance of remittances in supporting economic recovery and advancing inclusive and sustainable development.xxxix

IV. Forced Migrants (Internally Displaced Persons, Asylum Seekers, Refugees, and Climate Displaced Persons)

In 2022, Australia registered 53,523 people with refugee status and 84,950 asylum seekers.xl Their main countries of origin were Iran (22.76%), Afghanistan (16.33%), Pakistan (9.42%), Iraq (8.01%), and Sri Lanka (7.12%).xli

Regarding the Iranian population, the main reasons for leaving their country were social instability and tensions between civil society and the government.xlii xliii In 2021 the United States ended its presence in Afghanistan after 20 years, and the already unstable situation further deteriorated, resulting in the mass displacement of thousands of people.xliv Concerning Pakistan, the country has been affected by the Iranian and Afghan wars with the United States and by military insurgencies in northwest Pakistan, as well as the threat of gangs, mafia, and poverty. All of these factors have increased the movement of Pakistanis to other countries in search of protection.xliv Most Iraqis arriving in Australia have migrated as refugees under the Special Humanitarian and Refugee Programmes, generally looking for protection against violence perpetrated by ethnic and religious minority groups (Kurds, Asians, Armenians, Turks, Turkmen, Chaldeans, Mendeans, Yazidis, Jews).xlvi Concerning the Sri Lankan population, civil riots, high levels of poverty, and lack of food have forced them to flee their homeland and search for a better life.xlvii

Australia has a humanitarian refugee programme that provides various types of visas to refugees and other humanitarian migrants for resettlement in the country.xlviii This programme makes a clear distinction between people 'outside Australia' (offshore) and the ones 'already in Australia' (onshore).xlix Likewise, the law also allows the country to have an agreement with a third country as a regional processing location for migrants attempting to enter the country irregularly by sea. Papua New Guinea and Nauru are both members of this agreement. Individuals residing offshore can apply for a humanitarian visa if they are subject to persecution in their country of origin, meet 'compelling reasons' criteria and satisfy health, character, and national security requirements. Persons who arrive legally in the country and seek protection may apply for a Permanent Protected visa.¹

People willing to enter the country without proper authorization are classified as irregular immigrants. They are subject to detention in the country or, in the case of unauthorised maritime arrivals, in a third country (Papua New Guinea and Nauru) to process their request. The regional processing country carries out assessments under its national laws. All persons transferred to these countries reside in community accommodation pending the outcome of migration to third countries. Those who are not taken to regional processing countries can apply for a temporary protection visa or Safe Haven Enterprise Visa. This visa is valid for three years, and temporary protection visa holders may work, study, and reside anywhere in the country with access to support services. Once the temporary protection visa expires, holders can apply for another visa.¹

The main problems asylum seekers usually face involve those people brought in from Nauru and Papua New Guinea who, during their stay in community accommodation centres, lack adequate mental health and other medical services. To address this situation, the government has released some individuals from these facilities on short-stay visas or into community detention pending their release from the country. Iti

Finally, in 2021, 48,939 forced internal displacements were recorded in Australia, mainly caused by earthquakes, floods, storms, wildfires, and other natural disasters. ^{liii}

V. Victims of Human Trafficking

Australia is Tier 1 in the U.S. Trafficking in Persons Report. Traffickers exploit women coming from Asia and, to a lesser extent, from Eastern Europe and Africa, in sex trafficking. After their arrival, traffickers force them into commercial sex or to work in massage parlours. They hold foreign women (and sometimes girls) in captivity and exploit them through physical and sexual violence and intimidation, manipulate them using illegal drugs and force them to pay excessive debts. Some victims are even exploited by their husbands or family members in domestic servitude. Victims are also employed in forced labour in agriculture, cleaning, construction, hospitality and tourism, and domestic service. Some identified victims were foreign citizens who had student visas and had paid significant placement and academic fees. Some foreign diplomats allegedly exploit domestic workers in forced labour in Australia. Moreover, some fishing vessels that transit or dock at Australian ports use physical abuse to force men to work. Victims of domestic servitude work in extremely isolated circumstances with little to no oversight or regulation. Iv

In 2021, the government referred 150 cases of suspected trafficking crimes for possible investigation, which included cases of smuggling, organ trafficking, harbouring and forced marriage. Authorities initiated prosecutions against 3 alleged traffickers and continued prosecutions of 19 defendants. Courts convicted and sentenced 8 traffickers involved in slavery, forced labour, and child sex tourism. Authorities identified 34 victims (4 of them were younger than 18 years old). They also assisted 10 potential Australian trafficking victims abroad. The government provided 18 temporary visas to eligible trafficking victims. Ivi

This year, the government trained police, labour inspectors, immigration officers, prosecutors, health care and front-line community workers on human trafficking. It provided identified trafficking victims with accommodation, living expenses, legal advice, health services, vocational training, and counselling through a support program. This program assisted victims for up to 45 days, and an additional 45 days on some special occasions. Ivii

In addition, the government developed a monitoring and evaluation plan to track the 2020-2025 national action plan (NAP) implementation. It funded multiple research projects to implement community prevention programs in the country, which focused on forced labour, migrant workers' rights, trafficking indicators, and modern slavery. It also conducted awareness campaigns on human trafficking. Due to the lack of knowledge of migrant workers about their rights, the government ran a campaign targeting seasonal workers. In 2021, the Australian Transaction Reports and Analysis Centre created and distributed its first written guide of financial indicators of trafficking to businesses. Iviii

Despite the efforts made, Australia still experiences serious concerns. There is a lack of formal identification procedures and compensation systems for victims, relying on civil proceedings to access compensation. Even though the government operated a national anti-trafficking hotline, it did not report the number of cases initiated from calls. In 2021 there were no investigations, prosecutions, or convictions of government officials involved in human trafficking crimes.^{lix}

VI. National Legal Framework

The Australian immigration legislation is regulated by a variety of Commonwealth laws.\textsup The 1958 Migration Act and the 1994 Migration Regulations outline the visa requirements permitting non-citizens to enter Australia.\textsup The 2007 Australian Citizenship Act sets out how you become an Australian citizen.\textsup The 1958 Migration Act also represents the statutory basis for refugee status determination (RSD) and assessment of complementary protection needs in domestic law.\textsup \textsup \textsup

Divisions 270 and 271 of the 1995 Commonwealth Criminal Code Act criminalise slavery-like practices, including servitude, forced labour, and deceptive recruiting for labour or services. Industralia and Indonesia co-chair the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. Australia's aid program also supports several aid projects in the Asia region, including the Australia-Asia Program to Combat Trafficking in Persons. In Persons. It is a legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act (Slavery Act) and the 2013 Crimes Legislation Amendment (Law Enforcement Integrity, Vulnerable Witness Protection and Other Measures) Act (Vulnerable Witness Act) amended the Criminal Code and the Crimes ActIvi enhanced Australia's legislative frameworks related to human trafficking. Invit

Australia has ratified the United Nations Convention against Transnational Organized Crime (UNTOC) and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol). Laviii Australia acceded to the 1951 Convention relating to the Status of Refugees in 1954 and its 1967 Protocol in 1973 (together, the Refugee Convention). Lavix Australia also acceded to the 1954 Convention relating to the Status of Stateless Persons (the 1954 Convention) and the 1961 Convention on the Reduction of Statelessness (the 1961 Convention) in 1973. Lax

The country also ratified the Convention on All Forms of Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention on the Rights of the Child (CRC). lxxi Australia did not ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. lxxii However, the country is part of the 1999 Convention of the Worst Forms of Child Labour, the Force Labour Convention, and its Protocol. lxxiii

VII. Main Actors

The State

The Australian government's role is to develop laws affecting migration, enforce the law, and educate people about the law.\(\lambda\) The Department of Home Affairs is responsible for managing immigration to Australia, including the provision of asylum and resettlement.\(\lambda\) This department handles Australia's federal law enforcement, national and transport security, criminal justice, emergency management, multicultural affairs, settlement services and immigration and border-related functions, working together to keep Australia safe.\(\lambda\)

The Department of Home Affairs in Australia provides Immigration and Citizenship services, laxviii an education program guide to understanding education and training in Australia for students coming from overseas, and the Skilled Migration Program to attract migrants who contribute significantly to the Australian economy. The Working Holiday Maker Program allows young adults to have a 12-month holiday, during which they can undertake short-term work and study. laxviii

The Immigration Program comprises three main components: temporary visas, migration and refugee, and humanitarian programs. In the case of international protection, the humanitarian program holds two parts: the refugee visas when people apply overseas for an application visa before arriving in Australia, and the protection visas when people arrive in Australia or its territories and seek asylum directly from the Australian government. Ixxx If migrants cannot solve their immigration issue, then the Department's Status Resolution Service (SRS) gets involved. Ixxxi

Australia operates a specific Humanitarian Program that offers resettlement for refugees and other people in humanitarian need and protection for those who arrive lawfully in Australia and engage in Australia's protection obligations. Program, the Australian Government seeks the opinions of the Australian public on the Humanitarian Program. Moreover, there is the Unaccompanied Humanitarian Minors (UHM) Program, and some children entering Australia on a Refugee or Humanitarian visa without a parent or legal guardian may be eligible to receive accommodation and support services under the Department of Home Affairs' Unaccompanied Humanitarian Minors (UHM) Program. Program.

The Modern Slavery and Human Trafficking Branch within the Australian Border Force (ABF) oversees the government's domestic response to human trafficking. ABF was the chair of the Australian Interdepartmental Committee on Human Trafficking and Slavery (IDC), which coordinated the government's anti-trafficking policy framework and led the 2020- 2025 NAP implementation efforts. In addition, the Operational Working Group (OWG), a subcommittee of the IDC, focused on operational issues and information sharing in relation to the support program; the OWG reported meeting more frequently about pandemic-related impacts on trafficking victims. In Australian Federal Police combats human trafficking, slavery, and slavery-like practices such as servitude, forced labour and forced marriage, which are complex crimes and major violations of human rights in Australia. In Interdepartmental Committee on Human Trafficking Branch Robert Force (ABF) over the Australian Border Force (ABF) over the Aus

International Organisations

UNHCR's Office in Canberra promotes refugee rights in Australia, New Zealand, Papua New Guinea, Fiji, the Cook Islands, the Federated States of Micronesia, Kiribati, the Marshall Islands, Nauru, Niue, Palau, Samoa, the Solomon Islands, Tonga, Tuvalu, and Vanuatu. Lexxviii

UNHCR in Australia also provides refugee protection in the region and supports the government in developing the national refugee legislation, increasing refugee status determination capacity and introducing protection safeguards in immigration procedures. The organisation provides technical assistance in Pacific Island countries to support the development of a national refugee legislation and access to the refugee and statelessness conventions through capacity building and training activities. The legislation are supported by the provides the refugee and statelessness conventions through capacity building and training activities.

The International Organisation for Migration (IOM) offers migration advice and visa application assistance, travel services and post-arrival services to connect migrants who have just arrived in Australia with other migrants who reside in the country.xc

IOM provides family migration services that include migration advice and assistance on a broad range of visa types, including partner-spouse visas, children or dependent visas, parent, eligible relatives, and family reunification under the Special Humanitarian Visa category. xci IOM provides travel assistance for Global Special Humanitarian Visa holders under Australia's Special Humanitarian Programme (SHP). As many SHP participants are first-time

travellers, IOM involvement emphasises 'continuity of care', with IOM monitoring each movement from embarkation through transit to arrival, aiding as needed at each point, and alerting sponsors/receiving authorities of any changes to itineraries or schedules.^{xcii}

Additionally, IOM helps eligible migrants to make informed and voluntary choices regarding their return to their country of origin through the Assisted Voluntary Return (AVR), an international migration service designed by IOM on behalf of governments.xciii

UNICEF works in Australia to protect refugee minors and those seeking asylum or involved in situations of migration.xciv It is currently helping refugee children from Ukraine by providing clothing for primary students in the schools, cash support to schools and care facilities, and cash support to vulnerable households with access to markets, providing a lifeline for children and their families.xcv

NGOs and Other Organisations

The Asylum Resource Centre is the largest organisation supporting people seeking asylum in Australia. It works on a community-based approach and runs over 40 programs, including food banks, primary health services, legal aid, education, training, paid internships, empowerment and employment pathways.xcvi

The Refugee Council of Australia (RCOA) is a non-profit organisation promoting the empowerment of refugees and asylum seekers. There is an active monitoring and research process to assist governments and intergovernmental organisations in policy-making and awareness and media sensitivity campaigns.xcvii

The Multicultural Youth Advocacy Network enhances national connections between young people and academics, policymakers, and practitioners, among others, while promoting capacity building and new opportunities for the youth.xcviii

The Federation of Ethnic Communities Councils of Australia is an umbrella of non-profit organisations representing culturally and linguistically diverse backgrounds. Their role includes advocacy for issues affecting ethnic communities in Australia.xeix

Beyond Blue is another non-governmental agency involved in mental health assistance. Their task is to provide awareness and reduce the impact of mental health problems among multicultural communities.^c

The Catholic Church

The Catholic Church in Australia (ACBC) is Australia's largest non-governmental provider of welfare and education services. ^{ci} In this regard, Catholic Social Service Australia (CSSA) is the Catholic Church's national lead agency for organisations providing social services. ^{cii} It aims to provide national advocacy for poor and vulnerable Australians and the Catholic social service organisations that serve them. ^{ciii}

CSSA works with its network of members, Australia's bishops, religious institute leaders, and the wider Church partnering with like-minded Catholic agencies, including Caritas, Catholic Health Australia, the National Catholic Education Commission, and the St. Vincent de Paul Society.

In addition, the Australian Catholic Migrant and Refugee Office (ACMRO) is one of the ACBC agencies^{cv} through which the Catholic Church has sought to improve the treatment of asylum seekers in Australia and deployed significant resources to support them.^{cvi} It has advocated for an increase in the general refugee intake and an end to the mandatory detention of migrants and children without a policy guaranteeing human dignity.^{cvii} ^{cviii} The All Saints Parish Pastoral Council has also advocated for a dignified life for migrants in unsanitary conditions during the Covid-19 pandemic.^{cix} In addition they have a permanent observatory for migration issues.^{cx} It is also worth noting ACMRO's concern about climate refugees, and this has been reflected in the Pastoral Guidelines on Climate Displacement,^{cxi} which is a booklet full of relevant facts, interpretations, policies, and proposals that highlight the magnitude of displacement, the importance of responses, all of which have had an essential impact on the drafting of the Encyclical "Laudato si".^{cxii}

Caritas has urged the Australian Government to adopt the Global Compact on Migration for Safe, Orderly, and Regular Migration. ^{cxiii} cxiv It also prepares catechetical, liturgical, and awareness-raising materials to be used on the occasion of World Migration Days. ^{cxv}

The Jesuit Refugee Service aims to accompany, serve, and advocate for the rights of refugees and other forcibly displaced persons. To this end, it has developed programmes for asylum seekers, refugees, and migrants. In addition, it works on special cases, trying to provide crisis response and strengths-based individual support. It has developed employment assistance programmes to facilitate the entry of asylum seekers and refugees into safe and sustainable work. They also have an emergency financial assistance programme for those in dire need. In this regard, JRS set up a COVID-19 food bank delivery service in the main community area to provide food to those most in need.

Australian Catholic Religious Against Trafficking in Humans (ACRATH) aims to accompany and advocate for people trafficked or exploited in Australia. It has developed a four-pronged strategic plan focused on: advocating for and with victims and survivors of human trafficking and modern slavery; raising awareness of human trafficking and modern slavery; addressing and preventing human trafficking, forced labour, and forced marriage, and strengthening organisational sustainability.cxx This organisation was a key participant in the successful campaign to establish the Commonwealth Modern Slavery Act (MSA).cxxi

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