



Office of Hon Michael Woodhouse

Minister of Immigration
Minister of Veterans' Affairs

Associate Minister of Transport
National Member of Parliament

08 NOV 2013

M Stephens

Dear M Stephens

I refer to your official information request, dated 8 October 2013. You requested:

- *All departmental advice to the Minister of Immigration between June 10 and October 8 2013 on New Zealand's Refugee Resettlement Quota.*

I enclose all the information covered by your request. Certain information has been withheld under the following sections of the Official Information Act 1982 (the Act):

- Section 6(a) – so as not to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand
- Section 6(c) – so as not to prejudice the maintenance of the law
- Section 9(2)(a) – protect the privacy of natural persons
- Section 9(2)(f)(iv) – maintain the constitutional conventions which protect the confidentiality of advice tendered by Ministers of the Crown and officials
- Section 9(2)(g)(i) – maintain the effective conduct of public affairs through the free and frank expression of opinions.

In addition, some sections in the attached documents have not been released, as the information contained in those sections is deemed to be outside the scope of your request.

I have considered under section 9(1) of the Act whether there are any countervailing public interest considerations in making the information withheld under section 9(2) available to you, however, in my view there are none.

You have the right to contest my decision to withhold information by seeking an investigation and review of that decision by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

Yours sincerely

Hon Michael Woodhouse
Minister of Immigration



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing:
New Zealand Refugee Resettlement Strategy and health changes:
progress on implementation

Date Sent:	10 June 2013	Tracker No:	13/03130
-------------------	--------------	--------------------	----------

Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Note	At your convenience
Associate Minister of Immigration (Hon Nikki Kaye)	For information	

Agencies Consulted (include contact where relevant)

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Andrew Lockhart	National Manager Refugee and Protection Unit		
Steve McGill	General Manager Settlement, Protection and Attraction	9(2)(a)	✓

Minister's Office Actions (if required)

Enclosure: No

Minister's Comments

OFFICIAL INFORMATION ACT



Ministry of Business, Innovation & Employment

10 June 2013

13/03130

Ministry of Business, Innovation and Employment Briefing: New Zealand Refugee Resettlement Strategy and health changes: progress on implementation

Recommended Action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** the progress made to date on implementing the New Zealand Refugee Resettlement Strategy and the health changes to enhance the Refugee Quota Programme.

Noted

Steve McGill
General Manager
Settlement, Protection and Attraction
Ministry of Business, Innovation and
Employment

7/6/13

Hon Michael Woodhouse
Minister of Immigration

/ /

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Purpose

1. This paper provides information on progress being made in implementing the New Zealand Refugee Resettlement Strategy (the Strategy) and the health changes to enhance the decision-making process in the selection of refugees for resettlement in New Zealand under the Refugee Quota Programme.

2. out of scope

out of scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT

out of scope.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

out of scope

Health changes

14. While not directly part of the Strategy, Cabinet agreed to changes to the way that the health of quota refugees is assessed before they are selected for resettlement to New Zealand. The enhanced health assessment will apply to refugee quota intakes from July 2013.
15. This included establishing the range of conditions that would make them ineligible for a medical waiver for residence, unless granted a special direction by the Minister of Immigration. The range of conditions are the following:
 - require dialysis treatment
 - have severe haemophilia
 - have a physical, intellectual, cognitive and/or sensory incapacity that requires full time care, including care in the community
 - currently have tuberculosis (TB) (any form including pulmonary and non-pulmonary TB, Multidrug-Resistant (MDR)-TB and Extensively Drug-Resistant (XDR)-TB) and have not completed full treatment for TB as outlined in the New Zealand Guidelines for TB Treatment, or

- have had a history, diagnostic findings or treatment for MDR-TB or XDR-TB, unless cleared by a New Zealand specialist
16. The following progress has been made to give effect to the health changes agreed by Cabinet:
- Changes to immigration instructions – these are scheduled to be part of the July 2013 release, along with other updates to policy.
 - New medical certificates specifically for the International Organisation of Migration (IOM) doctors completing medical certificates for quota refugees, based on existing Immigration New Zealand medical forms.
 - Tailored instructions and guides for IOM doctors completing medical certificates for quota refugees, and
 - Updating the 2004 Memorandum of Understanding between Immigration New Zealand and IOM to reflect the new health testing requirement.

Progress updates

17. A further progress update will be provided to you in July 2013 on the implementation of both the Strategy and the health changes.



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Cabinet Paper:
Talking points for Cabinet's consideration of the paper: *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*

Date Sent:	14 June 2013	Tracker No:	13/03315
-------------------	--------------	--------------------	----------

Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Note the talking points and option to put forward, if you agree	17 June 2013
Associate Minister of Immigration (Hon Nikki Kaye)	For Information	N/A

Agencies Consulted (include contact where relevant)

--

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
9(2)(a)	Senior Advisor, Immigration Policy, MBIE	9(2)(a)	
Christine Hyndman	Manager Immigration Policy, MBIE		✓

Minister's Comments

--



Ministry of Business, Innovation & Employment

14 June 2013

13/03315

Ministry of Business, Innovation and Employment Briefing: Talking points for Cabinet's consideration of the paper: *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*

Purpose

To provide you with talking points and an option to put forward at Cabinet, if you agree, when Cabinet considers the paper *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees* [ERD (13) 13], on Monday, 17 June 2013.

New Zealand does not passively accept UNHCR referrals

- The refugees accepted for the Refugee Quota result from New Zealand informing the United Nations High Commissioner for Refugees (UNHCR) about our priorities and regional allocations for the three-year Refugee Quota Programme.
- New Zealand will point out our ability to settle smaller groups from a range of countries and our focus on improving settlement outcomes in line with the New Zealand Refugee Resettlement Strategy (the Strategy).
- The Strategy aims to have refugees achieving more self-sufficiency, better integration and less dependence on state support.
- Officials will emphasise this agreement with the UNHCR regional office responsible for coordinating specific referrals.
- At present, between six and nine percent of cases referred by the UNHCR are declined by New Zealand for consideration for resettlement.
- Cases that are accepted for consideration are then assessed, including through interview, against the criteria for selection and resettlement. These include security requirements, a credibility assessment, health screening and a commitment to strive for successful resettlement in New Zealand.
- Between five and seven percent of cases who are interviewed for selection are declined resettlement.

The family-linked criterion need not be explicit

- The current recommendation 12 allows the Minister of Foreign Affairs and the Minister of Immigration the flexibility to accept non-family linked refugees from Africa and the Middle East (or the proposed merged Africa/Middle East region) if sufficient family-linked cases have not been identified.

• 9 (2) (f) (iv)

- The restrictive family-link criterion has led to few refugees from Africa or the Middle East being accepted because of the difficulties in accessing family members.
- From 2010/11 to 2012/13, when that criterion applied, only four percent of the Refugee Quota was from the Africa region. During that period, ten percent of the Refugee Quota was from the Middle East regions.

b (a)
9 (2) (f) (i)
9 (2) (g) (i)

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing:
Refugee Quota Programme: UNHCR resettlement referral and INZ
selection processes

Date Sent:	2 August 2013	Tracker No:	13/04019
-------------------	---------------	--------------------	----------

Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Note	At your convenience

Agencies Consulted (include contact where relevant)

--

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Andrew Lockhart	National Manager Refugee and Protection Unit		
Steve McGill	General Manager Settlement, Protection and Attraction	9 (2) (a)	✓

Minister's Office Actions (if required)

--

Enclosure: No

Minister's Comments

--

OFFICIAL INFORMATION ACT



Ministry of Business, Innovation & Employment

2 August 2013

13/04019

Ministry of Business, Innovation and Employment Briefing: Refugee Quota Programme: UNHCR resettlement referral and INZ selection process

Recommended Action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** the information requested on the Refugee Quota Programme in relation to the United Nations High Commissioner for Refugees (UNHCR) resettlement referral and INZ selection processes.

Noted

b

[]

*out of
scope*

[]

Steve McGill
 General Manager
 Settlement, Protection and Attraction
 Ministry of Business, Innovation and
 Employment

Hon Michael Woodhouse
 Minister of Immigration

RELEASSED UNDER THE OFFICIAL INFORMATION ACT

Purpose

1. This paper provides information you have requested on the following processes undertaken for the Refugee Quota Programme:
 - a. UNHCR resettlement referral process
 - b. Immigration New Zealand (INZ) selection process
2. []
3. General background on refugees and New Zealand's Refugee Quota Programme is provided at Appendix One.

out of scope

Refugee Quota Programme processes

UNHCR resettlement referral process

4. The UNHCR annually undertakes a global refugee resettlement and protection needs assessment and consults with resettlement countries at the Annual Tripartite Consultations on Resettlement held in Geneva each July. From this assessment, priority protection and resettlement cases are referred to resettlement countries in-line with each country's refugee resettlement programme.
5. UNHCR provides submissions based on the global protection and resettlement needs to New Zealand for consideration in developing the three-year Refugee Quota Programme.
6. Following decisions being made by Cabinet on the three-year Refugee Quota Programme, the UNHCR is informed of those decisions and discussions are undertaken on New Zealand's priorities and expected resettlement caseloads in-line with Cabinet's decisions. The UNHCR refers cases to New Zealand based on the UNHCR's assessed global priority resettlement and protection needs and the Government's agreed Refugee Quota Programme.
7. In referring a case to New Zealand, the UNHCR provides individual Resettlement Registration Forms (RRF) for each case. Information contained in the RRF includes the following:
 - a. Personal details (includes name, age, date and place of birth, family relationships and details, religion, citizenship, ethnic origin, occupation/skill, language, special needs)
 - b. Outline of the applicant's refugee status claim – events and reasons leading to the granting of refugee status/reasons for continued international protection (including applicant's background and profile, any military service, political affiliations, and credibility, well-founded fear and exclusion assessments based on the 1951 Refugee Convention and relevant country of origin information)
 - c. Resettlement needs assessment (including resettlement prioritisation according to the applicant's legal and physical protection needs, assessment of alternative durable solutions – prospects of local integration and voluntary repatriation)

- d. Special needs assessment (including information on the applicant's mental or physical health, specific needs or vulnerabilities)
8. The UNHCR is in the process of undertaking a biometric identity management project to enhance the integrity of the resettlement and registration processes. The project aims to prevent identity theft and identity substitution among those seeking protection and also to reduce the risk of multiple registrations of the same individual under different identities.

INZ selection process

9. On receiving a referral from the UNHCR, INZ firstly assesses whether the case is within the parameters for the agreed Refugee Quota Programme. If so, then INZ Officers undertake comprehensive onshore and offshore screening and assessments of each case referred.
10. INZ Immigration Instructions S3.17 and S3.22 outline the requirements for selection of refugees (and their families) under the Refugee Quota Programme and for granting residence to those selected for the quota.
11. The INZ screening and assessment both on and off-shore focuses on credibility, risk and settlement to ensure that the person is not a security risk or character of concern to New Zealand and that settlement in New Zealand is the right option.
12. Off-shore selection missions are undertaken by INZ Officers to interview all refugees and their family members being considered for inclusion in the Refugee Quota, except in a small number of cases where it is not logistically or economically possible. For complex and/or high risk refugee caseloads, a Risk Profiling Analyst from INZ's Risk Assessment Team (RAT), may join the selection mission to provide specialist reputational risk advice and targeted reputational risk interviews.

6 (2)

OFFICIAL INFORMATION ACT

6(c)

14. During the off-shore selection interview, each case has their photograph (face) taken and biometrics¹ (fingerprints) collected. New Zealand began collecting biometric data from individuals being considered for resettlement under the Refugee Quota Programme in 2012. The biometric data is shared with the Five Country Conference (FCC) partners and any immigration information they hold on the individual is forwarded.
15. Referred cases can be declined prior to or following the selection mission interview processes, if INZ is not satisfied following the comprehensive screening and assessment.
16. The following table outlines the number of cases referred by the UNHCR and the cases that are approved and declined for inclusion in the Refugee Quota Programme following on and off-shore screening and assessment:

Year	Number of cases referred by UNHCR	Number of cases decided ²	Number of cases approved for inclusion	Number of cases declined inclusion	Percentage approved
2010/11	1,227	910	849	61	93%
2011/12	800	896	823	73	92%
2012/13	1,103	989	858	131	87%

17. The global average acceptance rate for UNHCR refugee resettlement referrals from resettlement states in 2012 was 93 per cent.³

¹ Fingerprints are not taken for those 17 years and under.

² Decisions are made on cases on-hand, which means that some cases may not be decided in the year they were referred.

18. From July 2013, all referred cases being considered for inclusion in the Refugee Quota Programme will not be accepted if they have one of the following conditions, unless they are granted an exception by the Minister of Immigration:

- Require dialysis treatment
- Have severe haemophilia
- Have a physical, intellectual, cognitive and/or sensory incapacity that requires full-time care, including care in the community
- Currently have any form of tuberculosis (TB) and have not completed full treatment; or
- Have a history, diagnostic findings, or treatment for multiple resistant or extensively drug resistant TB, unless cleared by a New Zealand Respiratory Infectious Diseases specialist.

out of scope

RELEASED UNDER OFFICIAL INFORMATION ACT

³ See UNHCR Project Global Resettlement Needs 2013.

out of scope

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

out of
scope

[

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Appendix One – Background information

At the end of 2012, United Nations data showed that there were 45.2 million forcibly displaced people worldwide, 15.4 million of which were recognised refugees. The UNHCR has assessed the global refugee priority resettlement needs at over 859,000 persons in 2013.

New Zealand is one of around 26 countries who have formal refugee resettlement programmes. In total in 2013, the resettlement countries (including New Zealand) will offer around 81,000 places to resettle refugees the UNHCR has assessed as being in need of priority protection through resettlement to a third country.

In June 2013, Cabinet agreed to the next three year Refugee Quota Programme (2013/14-2015/16). The agreed three year programme includes the following:

- 50 per cent places allocated to UNHCR referred refugees resettled from the Asia-Pacific region (this will change to 40 per cent from 2014/15 with the implementation of the resettlement of 150 transferees from the Australian system)
- 50 per cent places allocated to UNHCR-referred refugees resettled from the rest of the world – Africa, Middle East and Americas (this will change to 40 per cent from 2014/15 with the implementation of the resettlement of 150 refugees from the Australian system)
- From 2014/15, up to 150 places will be allocated to refugees resettled from the Australian system

RELEASED
OFFICIAL INFORMATION



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing: Letter of response to the UNHCR

Date Sent:	16 August 2013	Tracker No:	13/04463
-------------------	----------------	--------------------	----------

Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to sign the letter of response to the UNHCR	At your convenience

Agencies Consulted (include contact where relevant)

--

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Andrew Lockhart	National Manager Refugee and Protection Unit		
Steve McGill	General Manager Settlement, Protection and Attraction	9(2)(a)	✓

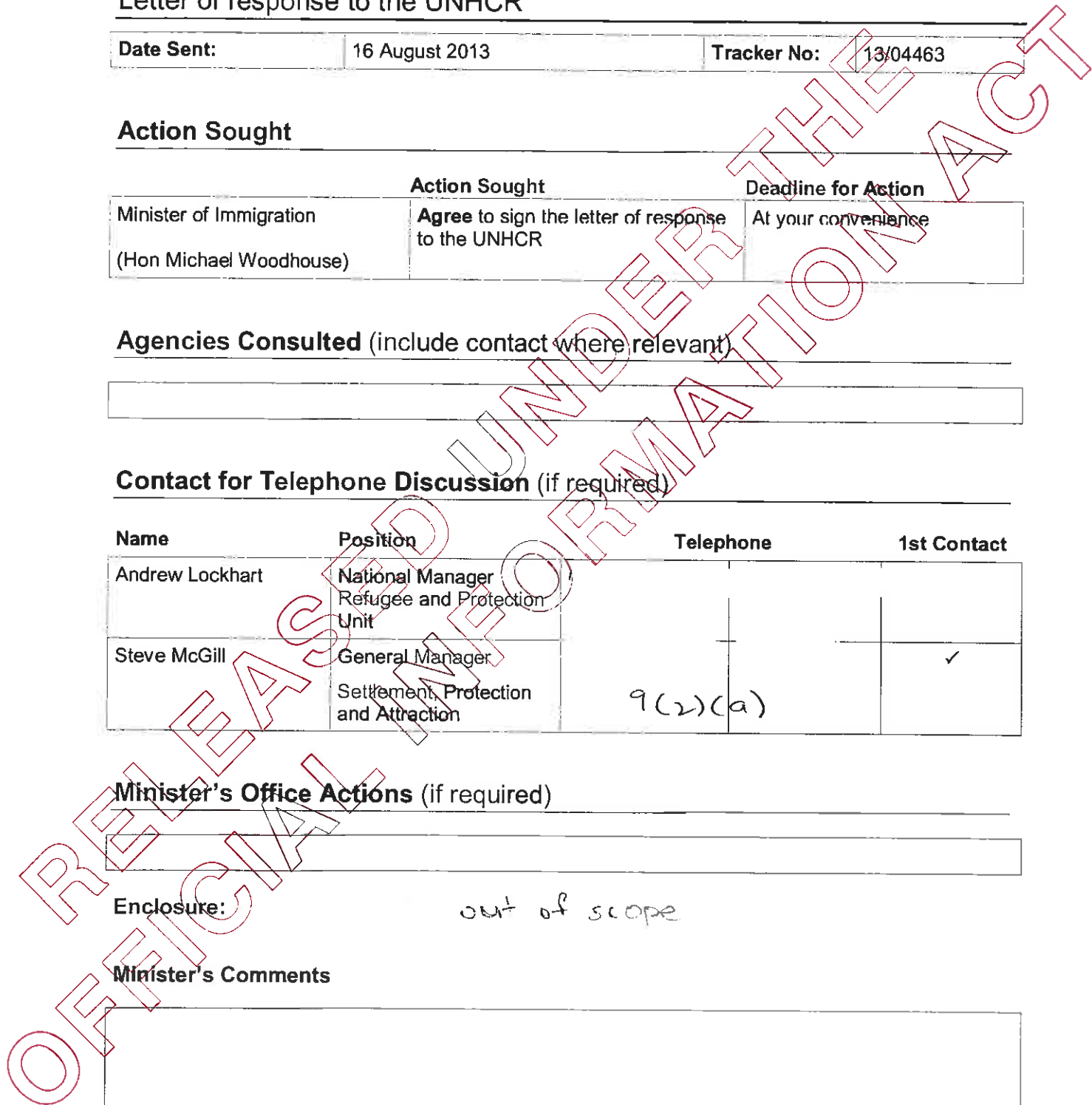
Minister's Office Actions (if required)

--

Enclosure: out of scope

Minister's Comments

--





Ministry of Business, Innovation & Employment

16 August 2013

13/04463

Ministry of Business, Innovation and Employment Briefing: Letter of response to the UNHCR

Recommended Action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Agree** to sign the enclosed draft letter in response to the United Nations High Commissioner for Refugees (UNHCR).

Agree/Discuss

Steve McGill
General Manager
Settlement, Protection and Attraction
Ministry of Business, Innovation and
Employment

— / / —

Hon Michael Woodhouse
Minister of Immigration

— / / —

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Letter from the UNHCR

1. A letter from the UNHCR, dated 19 July 2013, has been received by your office (enclosed).
2. The letter outlines the UNHCR's deep appreciation for New Zealand's on-going commitment to resettling refugees under our Refugee Quota Programme and the valuable contribution this makes to refugee protection globally.

3.

6(b)(i)

4. The UNHCR provided a submission on New Zealand's three year Refugee Quota Programme (2013/14-2015/16) earlier this year. Information from the UNHCR's submission was used to develop the three-year Refugee Quota Programme and the Cabinet paper on that programme [refer ERD (13) 13].

5. In June 2013, Cabinet agreed to the current three-year Refugee Quota Programme (2013/14-2015/16) [refer AMENDED MINUTE CAB Min (13)20/15]:

- Agreed that annually, from July 2014, New Zealand resettle up to 150 refugees (transferees) who have been subject to Australia's offshore processing legislation
- Agreed that New Zealand's Refugee Quota Programme remain at 750 (plus or minus 10 per cent), with the up to 150 transferees included within the 750 total
- Noted that from 2010, the Refugee Quota had been partially re-focused so that approximately 50 per cent of places are allocated to refugees from the Asia-Pacific region and approximately 50 per cent of places are allocated to refugees resettled from the rest of the world – Africa, Middle East and Americas
- Agreed that from 2014/15, when up to 20 per cent of the Refugee Quota will be allocated to transferees, approximately:
 - 40 per cent be allocated to UNHCR-referred refugees from the Asia-Pacific region;
 - 40 per cent be allocated to UNHCR-referred refugees from the rest of the world (11 per cent from the Africa region, 11 per cent from the Middle East region, and 18 per cent from the Americas)
- Agreed that for the Africa and Middle East regions, the status quo be maintained; that is only family reunification and family-linked cases would be selected from Africa and the Middle East

- Agreed that New Zealand offer to resettle, within the regional allocations, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations
- Noted that at least 75 places within the annual Refugee Quota Programme will be retained for Women at Risk and up to 75 places for Medical/Disabled refugees

6.

out of scope

RELEASED UNDER THE
OFFICIAL INFORMATION ACT