



6 November 2014

Joshua Grainger  
[fyi-request-2091-db4bfdb4@requests.fyi.org.nz](mailto:fyi-request-2091-db4bfdb4@requests.fyi.org.nz)

Ref: OIA 0518

Dear Mr Grainger

Thank you for your email of 9 October 2014 requesting, under the Official Information Act 1982 (OIA), the following information:

*I would like to request the number of asylum seekers that New Zealand has received each year since 2009.*

*I would like these statistics to be broken down by:*

- a) the country of nationality or habitual residence of the asylum seeker,*
- b) the number of asylum seekers (by country) who were recognised as refugees by a refugee and protection officer*
- c) the number of asylum seekers (by country) who were recognised as protected persons by a refugee and protection officer*
- d) the number of asylum seekers (by country) who were recognised as refugees or protected persons following an appeal against a decision of a refugee and protection officer*

*I also have two further requests that may not be so easy to answer, but I would deeply appreciate it if you could answer them:*

- e) it would be excellent if I could get a breakdown of successful refugee or protection claimants by reason for the decision: eg race, religion, nationality, political opinion, member of particular social group, a protected person under the ICCPR or a protected person under the CAT.*
- f) it would also be great if I could get any statistics on the reason why applications for refugee status were rejected: eg lack of applicant credibility, domestic protection alternative available, no well founded fear of persecution, or persecution not for a Convention reason.*

In response to points a) and b), please refer to the following Immigration New Zealand (INZ) website link for data on the number and nationality of asylum claims received at and decisions made by the INZ Refugee Status Branch since 2003:

<http://www.immigration.govt.nz/migrant/general/generalinformation/refugee-protection/>

Point a) and b) are refused under section 18(d) of the OIA as it is publically available.

In response to point c), protected person status is provided for by Part 5 of the Immigration Act 2009, which came into force on 29 November 2010. A refugee and protection officer (RPO) first recognised a person as a protected person in 2012. An RPO is under a statutory obligation to consider each asylum claim under both refugee and protection grounds, though protection grounds are only considered if the person concerned is not recognised as a refugee.

Figures for recognition as a protected person are a subset of the overall approval figures provided at the above INZ website link. An RPO recognised one person as a protected person in 2011-2012, four people in 2013-2014 and one person so far in 2014-2015. Given the small numbers involved, information about protected persons' nationality is:

- withheld under section 6(d) of the OIA as disclosure may endanger the safety of any person
- withheld under section 9(2)(a) of the OIA to protect the privacy of natural persons (and the public interest does not outweigh the privacy interest); and
- refused under s 18(c)(i) as making it available would be contrary to the provisions of a specified enactment (section 151 of the Immigration Act 2009, which requires the confidentiality of claims to be maintained).

In response to point d), asylum claims declined by the INZ Refugee Status Branch can be appealed to the independent Immigration and Protection Tribunal (IPT). The IPT is located within the Ministry of Justice. Your request for information about appeals to the IPT is refused under section 18(g) of the OIA as the information requested is not held by the Ministry of Business, Innovation and Employment or INZ. You may wish to direct this part of your request to the Ministry of Justice for their response.

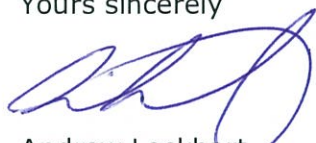
In response to points e) and f), information about the reasons for approving and declining asylum claims is refused under section 18(f) of the OIA as the statistics requested cannot be provided without substantial collation.

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

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

If you wish to discuss any aspect of your request or this response, please contact Kanika Singh, Immigration Manager, Refugee and Protection Unit, Immigration New Zealand at [kanika.singh@mbie.govt.nz](mailto:kanika.singh@mbie.govt.nz).

Yours sincerely



Andrew Lockhart  
National Manager  
Refugee and Protection Unit  
Immigration New Zealand