



Office of Hon Michael Woodhouse

Minister of Immigration
Minister of Veterans' Affairs

Associate Minister of Transport
National Member of Parliament

26 SEP 2013

M Stephens
Fyi-request-921-9cead368@requests.fyi.org.nz

Dear M Stephens

I refer to your Official Information Act 1982 (the Act) request dated 10 June 2013, which was transferred by the Ministry of Business, Innovation and Employment and received by this office on 18 June 2013. You requested:

- *All departmental advice to the Minister of Immigration in the last 18 months on New Zealand's Refugee Resettlement Quota.*

The timeframe for responding to your request was extended by my office. I apologise for the delay in responding, which was the result of the necessary consultation taking longer than anticipated.

I enclose all the information which is covered by your request apart from some material relating to the selection of quota refugees. This information was included within the papers released to you by the Ministry of Business, Innovation and Employment in response to an earlier request relating to the Refugee Resettlement Strategy.

Certain information has been withheld under various sections of the Act, as noted in the documents.

In the case of information withheld under section 9, I do not consider that the withholding of this information is outweighed by the public interest considerations in making the information available.

You have the right to contest my decision to withhold certain information by seeking an investigation and review of that decision by the Ombudsman. The Ombudsman's 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

BRIEFING

MINISTER	PORTFOLIO	DEADLINE
Hon Nathan Guy	Minister of Immigration	9 March 2012
Action sought	For your decision	
Title	2011/12 REFUGEE QUOTA: ALLOCATION 6(a) 9(2)(b) 6(a) 9(2)(b) AFRICAN REGION PLACES	
Date	27 February 2012	
Security	Sensitive	
Copied to	Hon Kate Wilkinson, Associate Minister of Immigration	
For referral to	Hon Murray McCully, Minister of Foreign Affairs	
Agencies consulted	Ministry of Foreign Affairs and Trade	
Contact information	Andrew Lockhart National Manager Refugee and Protection Unit 9(2)(a)	9(2)(a)
Authorising manager	Stephen Dunstan General Manager Settlement, Protection and Attraction Division	
Tracker number	12/00221	

Minister's comments

Minister's feedback	Very Poor	Poor	Neutral	Good	Very Good
Quality of advice	1	2	3	4	5
Writing style	1	2	3	4	5
Quality of analysis	1	2	3	4	5
Completeness of information	1	2	3	4	5



12/00221

27 February 2012

Minister of Immigration
Minister of Foreign Affairs

2011/12 REFUGEE QUOTA: ALLOCATION

AFRICAN REGION PLACES

G(a) 9(2)(i)

Executive summary

- 1 New Zealand annually resettles 750 (plus or minus 10 percent) refugees under the Refugee Quota Programme.
- 2 In August 2010, Cabinet agreed to a number of changes to the Refugee Quota Programme, including:
 - opportunities for family reunification for onshore African and Middle Eastern refugee communities¹, and

G(a) 9(2)(i)

- 4 The previous Minister of Immigration and the Minister of Foreign Affairs agreed (refer 11/102708 and 11/103530) that 115 places within the 2011/12 Refugee Quota would be allocated to resettle African family-linked cases. Twenty-eight family-linked cases have been filled already, leaving 87 unfilled. The UNHCR has recently indicated to the Department of Labour (the Department) that it is unable to locate sufficient numbers of African family-linked cases to enable the full 2011/12 African refugee quota to be filled.
- 5 Given the insufficient numbers of African family-linked cases to meet the previously agreed places, options are outlined in this brief regarding the reallocation of the African family-linked places to ensure the 2011/12 and 2012/13 refugee quotas are filled. Option One proposes instead that the places be allocated to resettle UNHCR referred and mandated refugees from large-scale emergency refugee situations from the African region. Option Two would see the places allocated to resettle additional refugees from the Asia-Pacific region.

¹ These would typically include family reunion cases involving Immediate family members and family-linked cases involving UNHCR priority protection cases with relatives in New Zealand.

Recommendation

6 It is recommended that you:

6(a) 9(2)(s).

agree / disagree / discuss

3 **note** the problems the UNHCR has in locating family-linked African nationality cases for the 2011/12 and 2012/13 Refugee Quotas

noted

4 **note** the options that have been considered in this paper to fill the remaining 87 places in the 2011/12 Refugee Quota that were allocated to family-linked cases from the African region

noted

5 **agree to:**

a. **Option One:** the remaining 87 African region family-linked places are allocated to UNHCR-referred emergency resettlement cases composed of non-family-linked African nationalities;

agree / disagree / discuss

OR

b. **Option Two:** the remaining 87 African region family-linked places are allocated to resettle cases from the Asia-Pacific region.

agree / disagree / discuss

Stephen Dunstan
General Manager
Settlement, Protection and
Attraction

Hon Nathan Guy
Minister of Immigration

..... / /

..... / /

Purpose

6(a) 9(c)(s)

- b. decision on filling the places that were set aside to resettle family-linked cases from the African region within the 2011/12 Refugee Quota Programme (refer 11/102708 and 11/103530).

Background

- 8 New Zealand's annual refugee quota was formally established in 1987 ([SE (87) M 8/5] refers).
- 9 New Zealand's Refugee Quota Programme is made up of 750 places (plus or minus 10 percent) from the following categories:
 - General Protection – 600 places, including up to 300 family-linked and up to 35 emergency places
 - Women-at-Risk – at least 75 places, and
 - Medical/Disabled – up to 75 places
- 10 In August 2010, Cabinet agreed (refer DES Min 10 2/3) to the following changes to the annual Refugee Quota:
 - establishing a rolling three-year Refugee Quota Programme, commencing in 2010/11
 - partially refocusing the composition of the Refugee Quota Programme to refugee intakes from the Asia-Pacific region (50 percent)
 - the inclusion of opportunities for family reunification for onshore African and Middle Eastern refugee communities², and

6(a) 9(c)(s)

The places available under the *Medical/Disabled* and *Women-at-Risk* Categories would remain the same.

² These would typically include family reunion cases involving immediate family members and family-linked cases involving UNHCR priority protection cases with relatives in New Zealand.

6(a) 9(2)(c)

- 14 It was agreed that a Ministerial decision would be required by December of each year to ensure the refugee quota could be filled by the following June. Given the November 2011 general election, this decision has been delayed.

Proposed allocation of the 2011/12 Refugee Quota Programme 6(a) 9(2)(c)

6(a) 9(2)(c)

- 15 As outlined above, Cabinet agreed in August 2010 that the refugee quota would be composed of 50 percent of the UNHCR-referred places from the Asia-Pacific region. The remaining refugee quota would be composed of 15 percent of the UNHCR-referrals from the Middle East, 17 percent from Africa and 18 percent from the Americas.
- 16 The results achieved to date from the selection missions undertaken during 2010/11 and 2011/12 to the Asia-Pacific, Americas and Middle East regions indicate that the 150 2011/12 *Emergency Situations Category* places would best be filled from the Asia-Pacific region.
- 17 As indicated in Annex One, the Asia-Pacific region places could be filled predominately by refugees of Burmese nationality, with smaller numbers of Bhutanese and Sri Lankans.
- 18 To date, 300 refugees have been resettled from the Asia-Pacific region in the 2011/12 refugee quota. Given the total proposed number of refugees to be resettled in New Zealand from the Asia-Pacific region, approximately 60 percent of the composition of the 2011/12 refugee quota would be resettled from that region. This is more than was agreed by Cabinet's August 2010 decisions.
- 19 A slightly enhanced Asian focus is in line with the policy intent of Cabinet's August 2010 decisions, as well as ongoing collaborative efforts to combat people smuggling in the region. However, the Department will work to rebalance the percentages resettled, as agreed to by Cabinet, from the various regions over the final year (2012/13) for which the refugee quota has been approved.

B. African region places

- 20 As outlined above, Cabinet agreed in August 2010 that the Refugee Quota Programme's composition would provide opportunities for family reunification for onshore African and the Middle East communities.
- 21 In agreeing to the composition of the 2011/12 refugee quota (refer 11/102708 and 11/103530), the previous Minister of Immigration and the Minister of Foreign Affairs agreed that 115 places in that quota would be filled by UNHCR-referred family-linked cases from the African region³.

³ Family-linked African nationalities proposed for resettlement within the 115 places were Congolese, Sudanese, Burundian, Eritrean, Ethiopian and Somali nationals.

22 The Department has worked closely with the UNHCR to ensure that the African region places are filled with family-linked cases. To date 28 African family-linked cases have been resettled in New Zealand in 2011/12. However, UNHCR have recently informed the Department that they are unable to locate sufficient African family-linked cases to enable the 2011/12 refugee quota to be filled. There are also likely to be similar problems in filling the African region family-linked places in following years.

23 Given the difficulty in locating sufficient family-linked cases from the African region, the Department has considered the options to fill the remaining 87 African family-linked places to ensure the refugee quota is met for 2011/12. These options are outlined below:

- Option One: Emergency resettlement situations from the African region, or
- Option Two: Cases from the Asia-Pacific region.

Option One: Emergency resettlement situations in the African region

24 There have recently been a number of large scale refugee situations (for example in North Africa and the Horn of Africa) where the UNHCR is seeking emergency resettlement places for those who are UNHCR mandated refugees.

25 New Zealand could offer, on a one-off basis, to allocate the 87 African region family-linked places to resettle those UNHCR mandated refugees who require emergency resettlement from large-scale refugee emergency situations. The cases would come from African nationalities already represented in New Zealand, and would predominantly be Women-at-Risk and family groups, but would not have family-links to New Zealand (see Option One Table at Annex One).

26 Although resettling African nationalities that do not have family-links is a departure from the August 2010 Cabinet decisions, agreement to Option One:

- allows the Department to reach the regional resettlement percentages as agreed by Cabinet in August 2010
- meets the core caseload the Department indicated to the UNHCR that New Zealand would resettle in 2011/12 and 2012/13
- meets the existing African communities' expectations that African nationals will be resettled in the 2011/12 refugee quota. African refugee communities established in New Zealand would welcome the development of their groups, and would support the ongoing settlement of the African cases selected for inclusion in the refugee quota
- demonstrates New Zealand's commitment to supporting burden sharing among resettlement states and to providing protection to the most vulnerable individuals; and
- enhances our international reputation.

27 The UNHCR strongly advocates for a balanced regional quota based on priority protection needs.

28 If it is not agreed to resettle non-family-linked cases from the African region, the alternative is to further increase the number of cases resettled out of the Asia-Pacific region as outlined in Option Two below.

Option Two: Cases from the Asia-Pacific region

- 29 The remaining 87 African region family-linked places could be allocated to cases from the Asia-Pacific ~~See (a) (2)(c)~~ See Option Two Table at Annex ~~See (a) (2)(c)~~ One.
- 30 The geographic diversity provided by the regional balance in the three-year Refugee Quota Programme agreed to by Cabinet allows smaller refugee communities to build and strengthen their capacity. In time this leads to better and quicker settlement outcomes due to support from those communities.
- 31 Cabinet also acknowledged that too large a focus on the Asia-Pacific region could negatively impact on New Zealand's international reputation (including criticism from the UNHCR and other refugee communities in New Zealand), and balanced this risk by setting the percentage resettled from that region at 50 percent.
- 32 If Option Two is agreed, the percentages resettled from the regions in 2011/12 would result in 74 percent of refugees being resettled from Asia-Pacific, 12 percent from the Middle East, 4 percent from Africa, and 10 percent from the Americas. The UNHCR strongly advocates for a regionally balanced resettlement programme based on priority needs.
- 33 In relation to the overall three-year Refugee Quota Programme, if African family-linked places in the 2012/13 quota are again reallocated to the other regions because insufficient African family-linked cases can be identified by the UNHCR, the overall number of refugees resettled from the African region would be significantly lower over the three-year programme than had been agreed to by Cabinet in August 2010; resulting in approximately 4 percent of refugees being resettled from the African region over the three-year programme.

Refugee Quota Selection Process

- 34 Under either option, as per the normal process, all cases referred by the UNHCR for inclusion in the refugee quota will be reviewed and interviewed by Refugee Quota Immigration Officers⁴, and will undergo a comprehensive selection screening and assessment process focusing on credibility, risk and settlement. The Department will grant Mandated Refugee Residence Class Visas if it is determined that the refugees are eligible for resettlement under the Refugee Quota Programme and are admissible to enter New Zealand.
- 35 If the Department is not satisfied with the case in relation to any of the above considerations, then the case will be declined.

⁴ Or a nominated organisation with the requisite credentials, such as UNHCR or IOM in the case of emergency referrals, where it is not logistically or economically viable for a departmental immigration officer to travel to interview the refugees themselves.

Annex One

2011/12 Refugee Quota Programme Composition allocated and reallocation of African region family-linked caseload

Option One Table – Cases from Emergency Resettlement Situations

Allocation of 150				
Region / Country	Nationalities	2011/12 Refugee Quota		2011/12 Totals
Asia-Pacific region Thailand and Malaysia	Predominately Burmese*, few Bhutanese and Sri Lankans	260	150	410
African Region Family-Linked Caseload (115 places agreed)				
African region	Congolese, Somali and Burundi**	28	0	28
Reallocation of Remaining African Region Family-Linked Caseload				
African region Large-scale refugee situation Egypt (Saloum Refugee Camp)	Mixed caseload of urgent non-family linked cases of Sudanese, Ethiopian, Eritrean and Somali	87	0	87
Other				
Middle East region Syria, Lebanon, Jordan	Iraqi**	80	0	80
Americas region Ecuador	Colombian***	70	0	70
TOTAL		525	150	675

*Reduced arrival numbers for Bhutanese due to impact of Christchurch earthquake will be reallocated to Burmese.

**Family reunion / family-linked cases from the Middle East and Africa

*** Reduced arrival numbers for the Colombians due to UNHCR unable to locate a number of refugees who have been approved for resettlement

Option Two Table – Cases from the Asia-Pacific Region

Allocation of 150 <i>2011 9(2)(j)</i>				
Region / Country	Nationalities	2011/12 Refugee Quota	<i>6(a)</i> <i>9(2)(j)</i>	2011/12 Totals
Asia-Pacific region Thailand and Malaysia	Predominately Burmese*, few Bhutanese and Sri Lankans	260	150	410
African Region Family-Linked Caseload (115 places agreed)				
African region	Congolese, Somali and Burundi**	28	0	28
Reallocation of African Region Family-Linked Caseload				
Asia-Pacific region	Predominately Burmese	87	0	87
Other				
Middle East region Syria, Lebanon, Jordan	Iraqi**	80	0	80
Americas region Ecuador	Colombian***	70	0	70
TOTAL		525	150	675

*Reduced arrival numbers for Bhutanese due to impact of Christchurch earthquake will be reallocated to Burmese

**Family reunion / family-linked cases from the Middle East and Africa

*** Reduced arrival numbers for the Colombians due to UNHCR unable to locate a number of refugees who have been approved for resettlement



Department of Labour Briefing: Proposed Refugee Quota Composition 2012/13

Date Sent:	26 June 2012	Tracker No:	12/02816
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Action Sought

	Action Sought	Deadline for Action
Minister of Foreign Affairs Hon Murray McCully	Agree to the recommendations	30 June 2012
Minister of Immigration Hon Nathan Guy	Agree to the recommendations	30 June 2012

Agencies Consulted (include contact where relevant)

Ministry of Foreign Affairs and Trade Ministry of Social Development Ministry of Education Ministry of Health New Zealand Housing Corporation Department of Housing and Building

Contact for Telephone Discussion (if required)

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

Minister's Office Actions (if required)

None

Enclosure: No

Minister's Comments

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OFFICIAL INFORMATION ACT

26 June 2012

12/02816

Department of Labour Briefing: Proposed Refugee Quota Composition 2012/13

Recommended Action

The Department of Labour (the Department) recommends that you:

- a **note** that the 2012/13 Refugee Quota will return to the annual target of 750 (plus or minus 10 percent).

Note

- b **agree** to the proposed composition of the 2012/13 Refugee Quota as outlined in Appendix Two.

Agree/disagree

- c **note** the difficulties the UNHCR has had in identifying sufficient family-linked cases from the African region for the Refugee Quota Programme and the impact this will have on the percentage of cases resettled from the African region.

Note

Note

- e **note** the consultations that have taken place between the Department and the Australian Department of Immigration and Citizenship in relation to their respective refugee quota programmes.

Note

Gerard van Bohemen
for Secretary of Foreign Affairs and
Trade

..... / /

Hon Murray McCully
Minister of Foreign Affairs

..... / /

Stephen Dunstan
for Secretary of Labour

..... / /

Hon Nathan Guy
Minister of Immigration

..... / /

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Purpose

1. This paper seeks your agreement to the proposed composition of the 2012/13 Refugee Quota for resettlement in New Zealand [SE (87) M 8/5 and 10/93383 refers].

Background – The Refugee Quota Programme

2. New Zealand has operated a refugee quota since 1987 [SE (87) M 8/5]. New Zealand accepts 750 refugees per year (plus or minus 10 percent) under the quota in six intakes of approximately 125 people each.
3. In August 2010, Cabinet agreed to the establishment of a rolling three-year Refugee Quota Programme [10/93383 refers], which has enabled a more strategic approach to refugee quota resettlement service planning and delivery.
4. Appendix One outlines the details of Cabinet's decisions regarding the Refugee Quota Programme and the Refugee Quota selection process.

The Proposed 2012/13 Refugee Quota Composition

5. The 2012/13 Refugee Quota will return to the annual target of 750 (plus or minus 10 percent), following the decrease of the annual targets in 2010/11 and 2011/12 due to the impact of the earthquakes in Christchurch on housing and resettlement service provision.
6. The proposed composition for the 2012/13 Refugee Quota is designed to meet Government priorities focusing on categories agreed by Cabinet in August 2010, the capacities of the refugee resettlement service providers, and caseloads which have been identified by UNHCR as most in need of international protection.
7. Government agencies and other refugee resettlement providers have been consulted about the proposed composition of the 2012/13 Refugee Quota. In addition a formal submission has been received from the UNHCR regarding the global priorities and protection and resettlement needs for New Zealand's consideration in planning the composition of the 2012/13 Refugee Quota.
8. Following this consultation process, it is proposed that the composition of the 2012/13 Refugee Quota includes the following nationalities:
 - Asia-Pacific region – Burmese, Bhutanese, Sri Lankan, Somali, Iraqi and Afghani cases
 - Middle East region – Iraqi family-linked cases
 - African region – African family-linked cases
 - Americas region – Colombian cases
9. Appendix Two outlines the proposed 2012/13 Refugee Quota composition by region, country of refuge and nationality of refugees. Appendix Three outlines the high-level Refugee Quota Programme over three-years (2010/11-2012/13), which was agreed to by Cabinet in August 2010.

African region family-linked cases

10. In relation to the African region places in the 2012/13 Refugee Quota, the number of cases proposed from this region is approximately 50-70 instead of 250, which would have ensured that the percentage of cases from that region aligned with Cabinet's decision in August 2010 (that is 17 percent of cases over the three-year Refugee Quota Programme from the African region).
11. The lower number of cases from the African region is proposed because of the ongoing difficulty the UNHCR has had in identifying sufficient family-linked cases from that region for the 2011/12 Refugee Quota [12/00221 refers]. The Department has been working closely with the UNHCR on this matter.
12. Should it be agreed that 50-70 cases be resettled from the African region then the percentage of cases from that region will be less than 5 percent for the three-year Refugee Quota Programme, given the combined lower number of family-linked cases from that region in the 2011/12 and 2012/13 Refugee Quotas.
13. It is proposed that any unallocated places from the African region be allocated to cases from the Asia-Pacific region.

6(a) 9/12/12

Consultation with Australia

16. The joint communique released by the Australian and New Zealand Prime Ministers following their meeting on 29 January 2012 referred to cooperation on combating illegal immigration, including consultation between Australia, New Zealand and UNHCR on targeted refugee resettlement:

"The Prime Ministers agreed on the importance of strengthening the region's response to the shared challenge of irregular migration. Recognising the efforts of regional partners and international organisations to examine opportunities to better cooperate under the auspices of the Bali Process, Australia and New Zealand agreed to consult on targeted refugee resettlement, within respective quotas, to enhance the region's response to irregular migration. Both countries will engage with the UNHCR to ensure that this approach complements global priorities."

17. Since the Prime Ministers' joint communiqué, officials from the Department and the Australian Department of Immigration and Citizenship (DIAC) have exchanged information on their country's respective refugee quota programmes. The Department and DIAC have agreed that within their respective refugee quotas that they will include for consideration refugees from Indonesia (Asia-Pacific region) to enhance regional cooperation and support the Bali Process Regional Cooperation Framework.

APPENDIX ONE

Cabinet Refugee Quota Programme Decisions

1. Cabinet agreed in August 2010, that the categories making-up the Refugee Quota Programme would be changed to the following:
 - General Protection – 450 places, including up to 300 family-linked and up to 35 emergency places,
 - Women at risk – at least 75 places,
 - Medical/Disabled – up to 75 places, and

6(a) 9(x)

4. Cabinet also agreed that the quota would be composed of 50 percent of the UNHCR-referred cases from the Asia-Pacific region, 15 percent from the Middle East, 17 percent from Africa and 18 percent from the Americas regions. The refocus of the quota on the Asia-Pacific region reflected New Zealand's focus on regional cooperation (for example New Zealand's engagement in the Bali Process and our close bilateral relationship with Australia), while also confirming the Government's continued commitment to offering 750 quota refugees per year the best possible resettlement opportunity we can provide, within finite resources. Family-linked cases¹ would be selected from Africa and the Middle East regions.
5. The Refugee Quota composition is jointly reviewed and agreed annually by the Ministers of Foreign Affairs and Immigration.
6. The composition of the Refugee Quota is developed through consultation with refugee resettlement service providers and is informed by the UNHCR's global resettlement priorities.
7. The Department works closely with government and non-government agencies involved in the refugee resettlement sector to ensure quota refugees have the support they need to resettle into our communities so that they can begin to more quickly contribute to New Zealand.

Refugee Quota Selection Process

8. All cases submitted by the UNHCR for inclusion in the Refugee Quota are reviewed and interviewed by Refugee Quota Immigration Officers² and undergo a comprehensive onshore and offshore selection screening and assessment process focusing on credibility, risk and settlement to ensure that:

¹ These would typically include family reunion cases involving immediate family members and family-linked cases involving UNHCR priority protection cases with relatives in New Zealand.

² Or a nominated organisation with the requisite credentials, such as UNHCR or International Organisation for Migration in the case of emergency referrals, where it is not logistically or economically viable for a departmental immigration officer to travel to interview the refugees themselves.

IN CONFIDENCE

- the case is in line with New Zealand's priorities,
 - New Zealand is the right settlement option for that person, and
 - the person is not a security risk or character of concern to New Zealand.
9. If the Department is not satisfied with the case in relation to any of the above considerations, then the case will be declined.
10. Refugee Quota selection missions are planned strategically to ensure maximum use of financial and human resources available.

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APPENDIX TWO

Proposed 2012/13 Refugee Quota Composition by Region, Country of Refuge and Nationality of Refugee

Region	Country of Refuge	Nationality of Refugee	Number of People
Asia-Pacific	Nepal, Indonesia, Malaysia, Thailand, and Pacific Island states	Iraqi, Afghani, Sri Lankan, Burmese, Bhutanese, and Somali	217
Middle East*	Syria, Lebanon and Jordan	Iraqi	163
Africa*	Southern Africa, Somalia, Sudan and Uganda	Congolese, Sudanese, Burundian, Eritrean, Ethiopian and Somali	70
Americas	Ecuador	Colombian	150
			150
<i>(See 9(2)(g))</i>			
TOTAL			750

* Only family reunion/family-linked cases from the Middle East and African regions will be considered for resettlement.

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APPENDIX THREE

High Level Refugee Quota Plan over Three Years 2010-13 agreed by Cabinet in August 2010 [10/93383 refers]

Region/ country	Nationalities	Totals	2010/2011	2011/2012	2012/2013
ASIA					
Bangladesh (dossier)	Burmese	45	15	10	20
Nepal	Bhutanese	370	140	115	115
Indonesia	Sri Lankan, Iraqi, Afghani	190	0	65	65
Malaysia	Burmese	235	135	80	80
Thailand	Burmese	90	90	0	0
Sub total		930	380	270	280
MIDDLE EAST*					
Jordan	Iraq, Palestinian	160	30	55	75
Turkey	Iraqi, Iranian	80	25	25	30
Sub total		240	55	80	105
AFRICA*					
Southern Africa	DRC, Ethiopian, Eritrean, Zimbabwean	50	15	35	0
Sudan	Eritrean	80	0	40	40
Uganda	DRC, Somali	75	15	30	30
Somalia	Ethiopian	100	0	50	50
Sub total		305	30	155	120
AMERICAS					
Ecuador	Colombian	325	135	95	95
Unallocated	Various	450	150	150	150
TOTAL		2250	750	750	750

*Only family reunion / family-linked cases from the Middle East and Africa would be considered



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing: Refugee Quota Programme 2013/14 to 2015/16

Date Sent:	1 February 2013	Tracker No:	13/00225
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to the recommended actions	At your earliest convenience
Minister of Foreign Affairs (Hon Murray McCully)	Agree to the recommended actions	At your earliest convenience
Associate Minister of Immigration (Hon Nikki Kay)	For information	

Agencies Consulted (include contact where relevant)

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Contact for Telephone Discussion (if required)

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

Minister's Office Actions (if required)

Return to the Ministry of Business, Innovation and Employment for action

Enclosure: No

Minister's Comments

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Ministry of Business, Innovation & Employment

1 February 2013

13/00225

Ministry of Business, Innovation and Employment Briefing: Refugee Quota Programme 2013/14 to 2015/16

Recommended Action

The Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Foreign Affairs and Trade (MFAT) recommends that you:

a **note** that

Out of scope

... recommends that Cabinet agreement be sought to New Zealand resettling up to 150 refugees annually who are subject to Australia's offshore processing legislation (transferees), commencing from July 2014

Noted

b **note** that in March/April 2013 Cabinet will be asked to agree to the 2013/14 to 2015/16 Refugee Quota Programme, which will include the 150 transferees referred to in recommendation (a)

Noted

66

9(2)(j)

Noted

9(2)(j)

Agree/discuss

e **note** that options for managing the impact of including up to 150 transferees (who have not been referred by the UNHCR) within the Refugee Quota Programme from July 2014 are:

- i) the Refugee Quota Programme remains at 750 and the number of UNHCR-referred refugees reduces to 600 from July 2014 or
- ii) the Refugee Quota Programme increases to 900 from July 2014 and the number of UNHCR-referred refugees remains at 750 or
- iii) the overall Refugee Quota Programme increases to 1000 from July 2014 and the number of UNHCR-referred refugees increases to 850 from July 2014.

Noted

Restricted

f **note** that the costs and benefits of each option described in recommendation (e) are:

i) option i) would be cost neutral

9(2)(g)(i)

ii) option ii) would maintain New Zealand's commitment to UNHCR-referred refugees, who have priority protection needs, but is estimated to cost an additional \$11.567 million annually from July 2014

iii) option iii) would go some way to meeting UNHCR's request to implement a phased increase towards a total of 1,000 Refugee Quota places annually but is estimated to cost an additional \$19.279 million annually from July 2014 (not recommended)

Noted

g **EITHER**

i) **agree** to Cabinet being asked to agree to the option in recommendation e i)

Agree/discuss

OR

ii) **agree** to MBIE further investigating the option in recommendation e ii).

Agree/discuss

h **note** that in 2010, Cabinet agreed that the Refugee Quota be partially refocused so that approximately 50 percent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 percent of places allocated to refugees from the rest of the world (Americas, Africa and the Middle East) [CAB Min (10) 30/8 and DES Min (10) 2/3]

Noted

i **note that**, due to the difficulties in finding sufficient cases, the family-linked criterion for Africa and Middle East refugees agreed by Cabinet in 2010 will result in the 2010/11 to 2012/13 Refugee Quota Programme regional allocations being 69 percent from the Asia-Pacific region and 31 percent from the rest of the world

Noted

j **agree** that Cabinet be asked to agree to the following options to achieve a balanced regional allocation of 50 percent of refugees resettled from the Asia-Pacific region and 50 percent resettled from the rest of the world:

i) **remove** the family-linked criterion for refugees resettled from the African and Middle East regions, and

ii) **include** the up to 150 transferees within the 50 percent Asia-Pacific regional allocation of the Refugee Quota Programme.

Agree/discuss

Restricted

Christine Hyndman
Manager
Immigration Policy
Ministry of Business, Innovation and
Employment

___/___/___

Hon Michael Woodhouse
Minister of Immigration

___/___/___

Hon Murray McCully
Minister of Foreign Affairs

___/___/___

9(2)(a)

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Purpose

1. This paper advises on:
 - the implications for the Refugee Quota Programme of New Zealand resettling up to 150 refugees annually who are subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme for 2013/14 to 2015/16, and
 - maintaining a regional balance in Refugee Quota allocations.
2. Your feedback on the recommendations in this paper is sought so that officials can draft a Cabinet paper that reflects your views, for consideration by Cabinet in March/April 2013 on the Refugee Quota programme for 2013/14 to 2015/16.

The Refugee Quota Programme

3. At the beginning of 2011, there were approximately 10.4 million persons of concern to the office of the United Nations High Commissioner for Refugees (the UNHCR). Globally, the UNHCR estimates that over 800,000 refugees are in need of being resettled. Resettlement provides a durable solution and international protection for refugees in need of this protection. Around 26 resettlement countries (including New Zealand) collectively offer 80,000 – 85,000 resettlement places annually.
4. New Zealand has operated a Refugee Quota since 1987, when Cabinet endorsed an annual intake of refugees [SE (87) M 8/5]. New Zealand resettles 750 quota refugees (plus or minus 10 percent) each year as a contribution to international burden sharing.
5. In 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Immigration and the Minister of Foreign Affairs, unless significant changes are proposed that warrant a decision by Cabinet. Cabinet decisions are required on the next three year (2013/14 to 2015/16) Refugee Quota Programme and this presents an opportunity to seek Cabinet agreement to New Zealand resettling up to 150 Australian transferees.

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6(a)
9(2)(j)

If New Zealand were to experience a mass arrival of asylum seekers, Cabinet would be asked to consider options, to manage the processing of the mass arrival asylum seekers and the Refugee Quota Programme. Options could include temporarily suspending the Refugee Quota Programme.

6(a) 9(2)(j)

Managing the impact on the Refugee Quota Programme

10. New Zealand's Refugee Quota has remained at 750 (plus or minus 10 percent) since 1997. The effect of resettling up to 150 transferees without increasing the Refugee Quota would be to reduce the number of refugees referred by UNHCR to 600 each year. Refugees referred by UNHCR have priority protection needs as assessed globally against international protection criteria. The transferees may not have the same priority protection needs.

6(b)(1)

In 2012, Australia doubled its resettlement intake to 12,000. Canada increased its capacity to 8,000 places from 2011. If New Zealand reduces the number of UNHCR-referred refugees to 600 from July 2014, Australia will be resettling four times as many UNHCR-referred refugees and Canada nearly twice as many as New Zealand on a per capita basis.

13. Officials have identified three options to manage the impact of resettling up to 150 transferees within New Zealand's Refugee Quota:
- a) the Refugee Quota remains at 750 places and the number of UNHCR-referred refugees reduces to 600 places from July 2014, or
 - b) the Refugee Quota increases to 900 places from July 2014 and the number of UNHCR-referred refugees remains at 750 places, or
 - c) the Refugee Quota increases to 1000 from July 2014 and the number of UNHCR-referred refugees increases to 850 places from July 2014.
14. The benefits and costs/risks of each option are shown in Table Two below.

Restricted

Table Two: Benefits and costs of three options on the size of the Refugee Quota Programme

Option	Benefit	Cost/risks
Option a) Refugee Quota remains at 750 and the number of UNHCR-referred refugees reduces to 600 from July 2014	No additional financial cost. The overall number of refugees resettled remains stable at 750.	
Option b) Refugee Quota increases to 900 from July 2014 and the number of UNHCR-referred refugees remains at 750	Maintains current commitment to resettling refugees who have been assessed by the UNHCR as having priority resettlement and protection needs. Better positioned to explain decision to resettle 150 transferees within the Refugee Quota as it would not impact on the number of priority protection cases referred by the UNHCR.	Estimated to cost an additional \$11.567 million* annually from July 2014. The additional cost could not be met from within baselines, so new funding would be required.
Option c) Refugee Quota increases to 1000 from July 2014 and the number of UNHCR-referred refugees increases to 850	Goes some way to meeting UNHCR's request to implement a phased increase of New Zealand's Refugee Quota. Better positions New Zealand to make a positive response to any criticism of the decision to resettle up to 150 transferees within the Refugee Quota as New Zealand would be increasing the priority protection cases referred by the UNHCR.	Estimated to cost an additional \$19.279 million* annually from July 2014. The additional cost could not be met from within baselines, so new funding would be required.

*Estimates assume \$77,116 per refugee per year, based on the estimated total resettlement costs. Costs include refugee-specific and mainstream funding, including immigration, health, education, employment-related services, income support and housing, averaged over the first three years of resettlement in New Zealand.

15. Officials consider option c) too high-cost to recommend. Option b) also has financial implications and, if you wished to explore this option further, MBIE would need to investigate further, including consulting Treasury and other affected agencies such as the Ministry of Social Development, Health and Education. It would likely require a bid for new funding in Budget 2014.

Maintaining a regional balance

16. In 2010, Cabinet agreed that the Refugee Quota Programme be partially re-focused so that approximately 50 percent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 percent allocated to refugees from the rest of the world (Africa, Middle East and the Americas) [CAB Min (10) 30/8 and DES

Restricted

Min (10) 2/3]. Cabinet also agreed to establish a family-linked criterion¹ for refugees from Africa and the Middle East. However, UNHCR has experienced difficulties in identifying sufficient family-linked cases from Africa and, with the situation in the Middle East region, there have been difficulties in accessing family-linked cases in that region.

17. The impact of the Africa and Middle East family-linked criterion on the 2010/11 to 2012/13 Refugee Quota Programme has been a regional allocation of 69 percent of refugees from the Asia-Pacific region and 31 percent from the rest of the world, as Table Three below shows.

Table Three: Comparison of 2010 Cabinet-agreed allocations by region and expected actual allocations of refugees for 2010/11 to 2012/13

2010 Cabinet-agreed allocations by region		Expected actual allocations by region for 2010/11 to 2012/13	
Asia Pacific	52%	Asia Pacific	69%
Africa*	13%	Africa*	4%
Middle East*	17%	Middle East*	10%
Americas	18%	Americas	17%
Total rest of world	48%	Total rest of world	31%

* Family-linked cases only.

Removing the Africa and Middle East region family-linked criterion

18. To achieve the regional allocation agreed by Cabinet, it is proposed that the family-linked criterion be removed for refugees resettled from Africa and the Middle East regions. The overall number of available places for family-linked cases would not be impacted by the removal of the Africa and Middle East family-linked criterion because up to 300 places within the *General Protection Category* may be used for family-linked cases.
19. Removing the family-linked criterion for Africa and the Middle East would provide more flexibility to respond to the priority protection and resettlement needs of refugees assessed by the UNHCR in their submission to New Zealand's 2012/13 to 2015/16 Refugee Quota Programme. As shown in Table Four below, the Africa region has the greatest number of refugees requiring priority resettlement.

Table Four: UNHCR assessment of resettlement needs by region as at December 2012

Refugee numbers and percentage	Africa	Middle East and North Africa	Americas	Asia Pacific
Requiring priority resettlement in 2013	76,435 (47%)	23,325 (14%)	12,286 (8%)	49,891 (31%)
Total requiring resettlement	354,798 (43%)	48,924 (6%)	32,020 (4%)	388,339 (47%)

¹ Under the family-linked/family reunion criteria only family reunion cases involving immediate family members and family-linked cases involving UNHCR priority protection cases with relatives in New Zealand were accepted from Africa and the Middle East.

Including the transferees within the Asia-Pacific region allocation

20. The up to 150 transferees will be sourced from the Asia-Pacific region. Table Five shows the impact on the regional balance percentages of including the transferees within the Asia-Pacific allocation or adding them to Asia-Pacific region allocation.

*Table Five: Impact of including transferees, or adding them to, the Asia-Pacific allocation**

	<i>Up to 150 transferees included within the Asia Pacific region allocation</i>	<i>Up to 150 transferees added to the Asia-Pacific region allocation</i>
Asia Pacific	50%	75%
Rest of world	50% (Africa 17%, Middle East 15%, Americas 18%)	25% (Africa 5%, Middle East 5%, Americas 15%)

*Assumes a Refugee Quota Programme of 750 places

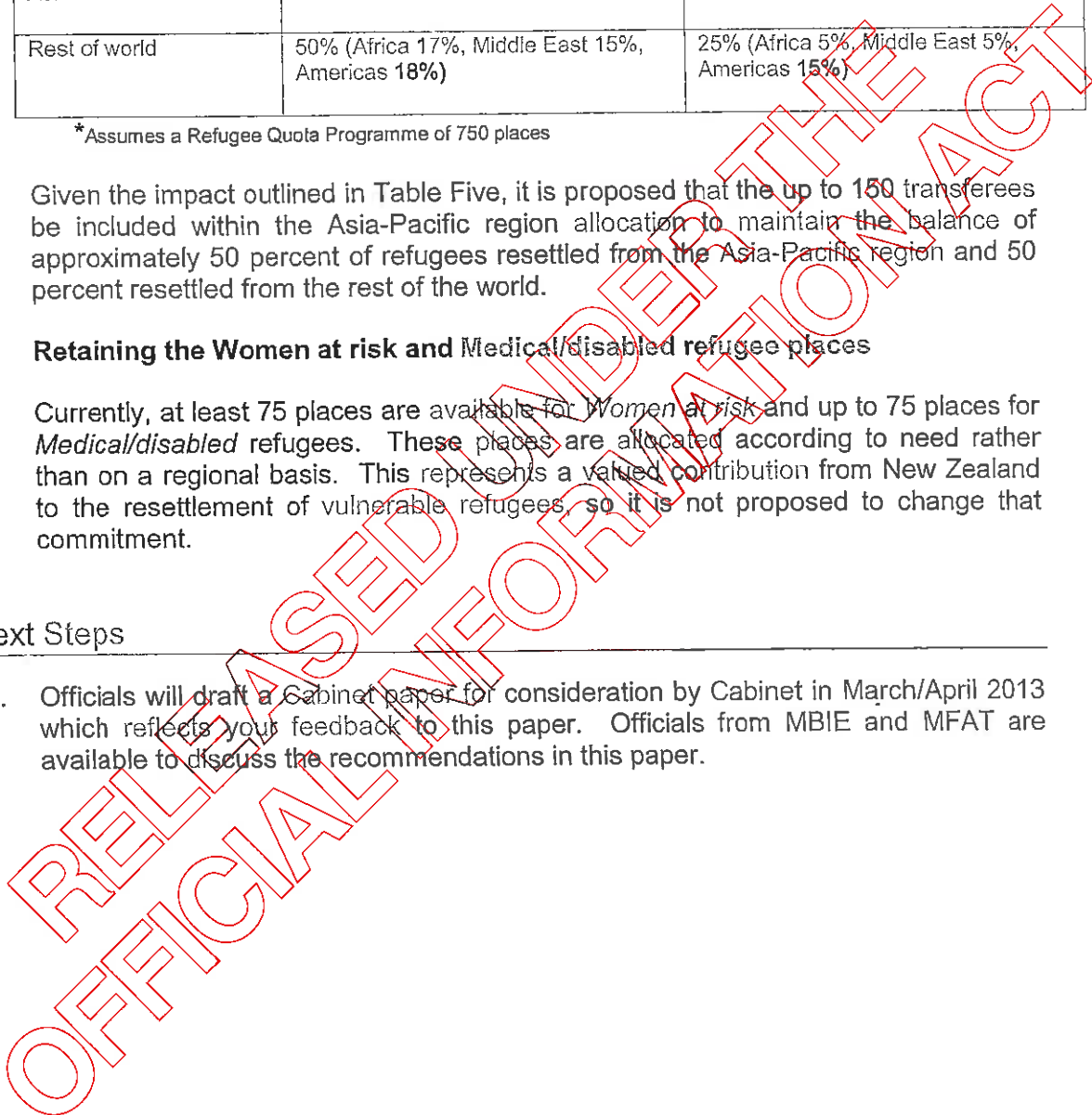
21. Given the impact outlined in Table Five, it is proposed that the up to 150 transferees be included within the Asia-Pacific region allocation to maintain the balance of approximately 50 percent of refugees resettled from the Asia-Pacific region and 50 percent resettled from the rest of the world.

Retaining the Women at risk and Medical/disabled refugee places

22. Currently, at least 75 places are available for Women at risk and up to 75 places for Medical/disabled refugees. These places are allocated according to need rather than on a regional basis. This represents a valued contribution from New Zealand to the resettlement of vulnerable refugees, so it is not proposed to change that commitment.

Next Steps

23. Officials will draft a Cabinet paper for consideration by Cabinet in March/April 2013 which reflects your feedback to this paper. Officials from MBIE and MFAT are available to discuss the recommendations in this paper.





Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing: 2012/13 Refugee Quota Programme – allocation

6(a) 9e, (i)

Date Sent:	12 February 2013	Tracker No:	13/00389
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to the recommended action	At your earliest convenience

Agencies Consulted (include contact where relevant)

Ministry of Foreign Affairs and Trade

Contact for Telephone Discussion (if required)

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

Minister's Office Actions (if required)

Copy to the Office of the Minister of Foreign Affairs

Enclosure? **No**

Minister's Comments



Ministry of Business, Innovation & Employment

12 February 2013

13/00389

Ministry of Business, Innovation and Employment Briefing:
2012/13 Refugee Quota Programme – allocation

G(a) 9(2)(c)

Recommended Action

G(a) 9(2)(c)

Out of scope

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

/ / /

Hon Michael Woodhouse
Minister of Immigration

/ / /

Purpose

1

G(a) 9(c)(i)

out of scope

Background

2. New Zealand's annual refugee quota was formerly established in 1987 ([SE (87) M 8/5] refers).
3. New Zealand's Refugee Quota Programme is made up of 750 places (plus or minus 10 per cent) from the following categories:
 - General Protection – 600 places, including up to 300 family-linked and up to 35 emergency places
 - Women at risk – at least 75 places, and
 - Medical/Disabled – up to 75 places.
4. In August 2010, Cabinet agreed (*The Refugee Quota 2010/11 to 2012/13: Managing Pressures in the Asia Pacific Region* [DES Min 10 2/3] refers) to the following changes to the annual Refugee Quota:
 - establishing a rolling three-year Refugee Quota Programme, commencing in 2010/11
 - partially re-focusing the composition of the Refugee Quota Programme to refugee intakes from the Asia-Pacific region (50 per cent)
 - the Refugee Quota Programme's composition would include opportunities for family reunification for onshore African and Middle Eastern refugee communities, and

G(a) 9(c)(i)

G(a) 9(c)(i)

The places available under the *Medical/Disabled* and *Women-at-Risk* Categories would remain the same.

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Out of scope

Annex One – 2012/13 Refugee Quota Programme

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2012/13 Refugee Quota Programme				
Region / Country	Nationalities	2012/13 Refugee Quota		2012/13 Totals
Asia-Pacific	Predominately Burmese and Bhutanese	217	150	367
Middle East*	Predominately Iraqi and Palestinian	163	0	163
Africa*	Congolese, Sudanese, Burundian, Eritrean, Ethiopian and Somali	70	0	70
Americas	Colombian	150	0	150
TOTAL		600	150	750

Out of scope

*Family reunion / family-linked cases from the Middle East and Africa

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Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Aide Memoire:
Meeting with Hon Murray McCully on 20 February 2013

Date Sent:	20 February 2013	Tracker No:	13/00664
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Note the attached information	3pm, 20 February 2012
Associate Minister of Immigration (Hon Nikki Kaye)	Copy attached for your information	N/A

Agencies Consulted (include contact where relevant)

N/A

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Christine Hyndman	Manager, Immigration Policy	3(2)ca)	

Minister's Office Actions (if required)

None

Enclosure: No

Minister's Comments

20 February 2013

13/00664

Ministry of Business, Innovation and Employment Aide Memoire: Meeting with Hon Murray McCully on 20 February 2013

Purpose

1. To provide background information for your meeting with Hon Murray McCully at 3pm on Wednesday, 20 February 2013 to discuss four items. These are:
 - a. the Refugee Quota Programme 2013/14 to 2015/16

out of scope

Refugee Quota Programme 2013/14 to 2015/16

2. The Ministry of Business, Innovation and Employment (the Ministry) and MFAT briefed you and Minister McCully on the Refugee Quota Programme on 1 February 2013 [tracker number 13/00225]. Officials sought feedback so that a Cabinet paper that reflects the views of both Ministers can be prepared for consideration by Cabinet in March/April 2013.
3. The briefing asked for feedback on whether the Refugee Quota Programme should:
 - a. remain at 750 and the number of refugees referred by the United Nations High Commission for Refugees (UNHCR) reduces to 600 from July 2014 when resettlement of the 150 transferees from the "Australian system" commences, or
 - b. increase to 900 from July 2014 so that the number of UNHCR-referred refugees remains at 750.
4. Public statements by the Prime Minister have subsequently made it clear that his preference is for the Refugee Quota Programme to remain at 750. We seek confirmation that that is the recommended option to be put forward in the Cabinet paper.
5. Ministers are also asked to agree to the Cabinet paper proposing that:
 - a. the family-linked criterion for refugees resettled from the African and Middle East regions be removed, and
 - b. the 150 transferees be included within the 50 per cent Asia-Pacific allocation of the Refugee Quota Programme.

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6. These changes would:
 - a. maintain the balance, of approximately 50 per cent of refugees resettled from the Asia-Pacific region and 50 per cent resettled from the rest of the world, that was agreed by Cabinet in 2010, and
 - b. recognise that African and Middle East regions are assessed by the UNHCR as being a high priority for refugee resettlement. It would mean New Zealand would be able to respond to global priorities for resettlement while maintaining its focus on the Asia Pacific region. It would meet the UNHCR's request for New Zealand to burden share with other countries in a global approach to resettlement from priority regions and burden sharing.
7. In addition to the recommendations in the briefing, the Ministry proposes that Cabinet be asked to agree to New Zealand offering to resettle, within the Refugee Quota, a small number of UNHCR-mandated refugees who require emergency resettlement from large-scale refugee crisis situations. This would be part of a global response to refugee crisis situations as they arise, to address the urgent resettlement needs (such as that in the Middle East region arising from the current situation in Syria and previously from Libya).
8. As with all refugees selected within the Refugee Quota Programme, those resettled from refugee crisis situations would be subject to onshore and offshore selection screening and assessment processes focusing on credibility, risk and settlement.

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out of scope

Remainder of briefing

P3 - P7 out of scope



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Aide Memoire: Refugee Quota Programme – selection processes

Date Sent:	6 March 2013	Tracker No:	13/00912
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Note	NA

Agencies Consulted (include contact where relevant)

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Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
Andrew Lockhart	National Manager Refugee and Protection Unit		✓
Atul Prema	General Manager (Acting) Settlement, Protection and Attraction	9 (2, 5)	

Minister's Office Actions (if required)

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Enclosure: No

Minister's Comments

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Ministry of Business, Innovation and Employment Aide Memoire: Refugee Quota Programme – selection processes

Purpose

1. This paper provides information you requested about the process undertaken to select refugees for Refugee Quota Programme.
2. Background information on the Refugee Quota Programme is located at Annex One.

Refugee Quota Programme

3. The three-year Refugee Quota Programme is agreed to by Cabinet and establishes the Government's resettlement priorities including the protection categories and regional allocation. The annual composition of the Refugee Quota is then jointly agreed annually by the Ministers of Foreign Affairs and Immigration in line with the cabinet decisions, unless significant changes are proposed that warrant a Cabinet decision.

Refugee quota selection

4. The United Nations High Commissioner for Refugees (UNHCR) annually undertakes a global refugee resettlement and protection needs assessment and consults with resettlement countries at the Annual 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. The UNHCR refers refugee cases to New Zealand based on priority resettlement and the Government's agreed Refugee Quota Programme. Immigration New Zealand (INZ) officers then select the refugees for resettlement in New Zealand following a comprehensive onshore and offshore screening and assessment process.
6. 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.
7. The INZ screening and assessment 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.
8. 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 where it is not logistically or economically possible.
9. If INZ is not satisfied following the comprehensive screening and assessment processes, then the case will be declined.
10. Following the selection process, those included in New Zealand's Refugee Quota undergo HIV¹ and tuberculosis (TB) tests prior to travelling to New Zealand. The travel for those found to be TB positive is temporarily delayed while they receive appropriate treatment.

¹ The Refugee Quota includes up to 20 places within the Medical/Disable Category for refugees with HIV. As such, HIV screening is undertaken to ensure that the available places for refugees with HIV is not over-committed.

New offshore health assessments

11. Currently, cases being considered for the Refugee Quota are not required to meet Immigration Health requirements for selection. All Quota Refugees receive full health screening as part of the reception phase following their initial arrival at the Mangere Resettlement Centre.
12. In November 2012, Cabinet agreed [refer CAB Min (12) 41/13] that refugees being considered for inclusion in the Refugee Quota will undergo offshore health assessments prior to selection to determine if they:
 - a. require dialysis treatment;
 - b. have severe haemophilia;
 - c. have a physical, intellectual, cognitive and/or sensory incapacity that requires full-time care, including care in the community;
 - d. currently have any form of TB and have not completed full treatment; or
 - e. have a history, diagnostic findings or treatment for multiple drug resistant or extensively drug resistant TB, unless cleared by a New Zealand Respiratory or Infectious Diseases specialist.
13. Cabinet agreed that refugees who are assessed with any of the above conditions would not be selected for the Refugee Quota, unless granted an exception on a case-by-case basis by the Minister of Immigration.
14. The new offshore health assessments will be implemented from July 2013.

Arrangement with Australia to resettle up to 150 refugees

15. The 150 refugees subject to transfer to offshore processing centres (transferees) that New Zealand has agreed to resettle [refer 13/00225], will have had their refugee status decided in-line with the United Nations Refugee Convention and according to the domestic law of Nauru, Papua New Guinea or Australia.
16. New Zealand will select the 150 refugees from the caseload of transferees whose refugee status has been approved.
17. New Zealand will undertake the same selection, screening and assessment processes as outlined above for Quota Refugees, including the new offshore health assessments.
18. New Zealand can determine the priority groups for resettlement within the arrangement with Australia and New Zealand has expressed a preference to resettle family groups. A final decision on the composition and priorities for resettlement from Australia will be considered in the annual Refugee Quota paper agreed to by Ministers.

Refugee Quota Orientation Programme

19. Refugees who arrive in New Zealand under the Refugee Quota Programme spend their first six weeks at the Mangere Refugee Resettlement Centre. The facilities at the Centre include accommodation blocks, an early childhood learning centre, classrooms, medical and dental clinics, a mental health clinic and general living and recreation areas.
20. INZ works in partnership with both government and non-governmental agencies to implement a six week orientation programme to assist the refugees during their initial phase of settlement.
21. As part of the programme of work being undertaken to implement the New Zealand Refugee Resettlement Strategy [refer CAB Min (12) 41/13] the mix of services provided to quota refugees, including the orientation programme, is being reviewed with the aim of increasing the focus on employment.

Annex One – Refugee Quota Programme Background

In August 2010, Cabinet agreed to the establishment of a rolling three year Refugee Quota Programme (DES Min (10) 2/3), to enable a more strategic approach to refugee quota resettlement service planning and delivery. The composition of the quota is jointly agreed annually by the Ministers of Foreign Affairs and Immigration, unless significant changes are proposed that warrant a Cabinet decision.

Cabinet agreed that the quota would be made up of the following categories:

- General Protection – 450 places, including up to 300 family-linked and up to 35 emergency places
- Women at risk – at least 75 places
- Medical/Disabled – up to 75 places, and

(a) 9(2)(c)

It was also agreed that the quota would be composed of 50 per cent of the UNHCR-referred places to the Asia-Pacific region, 15 per cent to the Middle East, 17 per cent to Africa and 18 per cent to the Americas.

Only family reunification and family-linked cases would be selected from Africa and the Middle East.²

Refugee quota composition process

As noted above, the composition of the refugee quota is jointly agreed annually by the Ministers of Immigration and Foreign Affairs.

To help inform Ministers' decisions related to the refugee quota composition, INZ undertakes a consultation process with key refugee resettlement service providers³ and the UNHCR. The UNHCR provides a submission on the resettlement needs and priorities globally for New Zealand's consideration in planning the refugee quota.

² These would typically include family reunion cases involving immediate family members and family-linked cases involving UNHCR priority protection cases with relatives in New Zealand.

³ Key refugee resettlement service providers include government agencies such as the Ministry of Health, Ministry of Education, Housing New Zealand Corporation and NGOs such as Red Cross and Refugees as Survivors New Zealand.



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing:
Draft Cabinet paper: *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*

Date Sent:	30 April 2013	Tracker No:	13/01729
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to provide feedback on the attached Cabinet paper	13 May 2013
Minister of Foreign Affairs (Hon Murray McCully)	Agree to provide feedback on the attached Cabinet paper	13 May 2013
Associate Minister of Immigration (Hon Nikki Kaye)	For information	

Agencies Consulted (include contact where relevant)

The Ministries of Education, Health, Justice and Social Development, the Office of Ethnic Affairs and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
		9 (2) (a)	
Christine Hyndman	Manager, Immigration Policy, MBIE	9 (2) (a)	✓
		9 (2) (a)	
Felicity Buchanan	Divisional Manager, International Security and Disarmament Division MFAT	9 (2) (a)	

Minister's Office Actions (if required)

Return to the Ministry of Business, Innovation and Employment for action

Enclosure: Yes – draft Cabinet paper

Minister's Comments



30 April 2013

13/01729

Ministry of Business, Innovation and Employment Briefing:
Draft Cabinet Paper: *Refugee Quota Programme 2013/14 to 2015/16*
and arrangement with Australia to resettle refugees

Recommended Action

The Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Foreign Affairs and Trade (MFAT) recommend that you:

- a note that Cabinet decisions are required on the size, regional balance and protection priorities of the next three-year (2013/14 to 2015/16) Refugee Quota Programme

Noted

- b note that the attached draft Cabinet paper seeks Cabinet's confirmation that New Zealand agrees to resettle up to 150 refugees annually who are subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme of 750 (plus or minus 10 per cent) a year

Noted

- c note that we propose that the Cabinet paper be considered by the Cabinet External Relations and Defence Committee (ERD) on 5 June 2013.

Noted

- d agree to provide feedback on the attached draft Cabinet paper by 13 May 2013.

Agree/discuss

Christine Hyndman
Manager, Immigration Policy
Ministry of Business, Innovation and
Employment

30/4/13

Hon Michael Woodhouse
Minister of Immigration

___/___/___

Felicity Buchanan, Divisional Manager
International Security and Disarmament
Division

Ministry of Foreign Affairs and Trade

30/4/13

Hon Murray McCully
Minister of Foreign Affairs

___/___/___

Purpose

1. This paper seeks your feedback on the attached draft Cabinet paper *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*.

Steps so far

2. The Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Foreign Affairs and Trade (MFAT) provided a briefing on the Refugee Quota Programme on 1 February 2013 [tracker number 13/00225]. The Refugee Quota Programme was one of the topics discussed at your joint meeting of 20 February 2013. The attached draft Cabinet paper aims to reflect your views.

Key points

3. The key points that Cabinet is asked to agree to are:
 - confirmation of New Zealand's agreement to resettle up to 150 transferees annually with the details of the arrangement with Australia to be approved by the Ministers of Foreign Affairs and Immigration as part of the annual Refugee Quota process in early 2014
 - from 2014/15, the up to 150 transferees be included within the annual Refugee Quota of 750 (plus or minus 10 per cent)
 - from 2013/14 to 2015/16, the Refugee Quota Programme maintain a balance of approximately 50 per cent of United Nations High Commission for Refugees (UNHCR) referred refugees from the Asia-Pacific region and 50 per cent from the rest of the world as agreed by Cabinet in 2010
 - since from 2014/15 up to 20 per cent of the Refugee Quota will be allocated to transferees, 40 per cent of the Refugee Quota be allocated to UNHCR-referred refugees from the Asia Pacific region and 40 per cent 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)
 - for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet this criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred priority refugees from the Africa and Middle East regions
 - New Zealand offer to resettle, within the Refugee Quota, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations, and
 - New Zealand's use of offshore processing centres remains a future option.

Next steps

4. We propose the following timetable for consideration of the paper:

Date	Action
23 May 2013	Revised Cabinet paper, incorporating Ministers' feedback/changes, submitted for joint signature
30 May 2013	Signed and submitted to Cabinet Office
5 June 2013	Considered by ERD
10 June 2013	Considered by Cabinet

5. Your feedback on this paper, and any changes, are sought by 13 May 2013.

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Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Cabinet Paper: Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees

Date Sent:	30 April 2013	Tracker No:	13/01727
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to provide feedback on the attached Cabinet paper	13 May 2013
Minister of Foreign Affairs (Hon Murray McCully)	Agree to provide feedback on the attached Cabinet paper	13 May 2013
Associate Minister of Immigration Hon Nikki Kaye	For information	

Agencies Consulted (include contact where relevant)

The Ministries of Education, Health, Justice and Social Development, the Office of Ethnic Affairs and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
		9(2)(a)	
Christine Hyndman	Manager, Immigration Policy, MBIE		9(2)(a)
		9(2)(a)	
Felicity Buchanan	Divisional Manager, International Security and Disarmament Division, MFAT		9(2)(a)

Minister's Comments

DRAFT IN CONFIDENCE

Office of the Minister of Immigration
Office of the Minister of Foreign Affairs
Cabinet External Relations and Defence Committee

REFUGEE QUOTA PROGRAMME 2013/14 TO 2015/16 AND ARRANGEMENT WITH AUSTRALIA TO RESETTLE REFUGEES

Purpose

1. This paper seeks Cabinet's:
 - confirmation that New Zealand agrees to resettle up to 150 refugees annually who are subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme, and
 - decisions on the size, regional balance and protection priorities of the three-year Refugee Quota Programme for 2013/14 to 2015/16.

Executive Summary

2. In 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Foreign Affairs and the Minister of Immigration, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3]. Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme.
3. Confirmation of New Zealand's agreement with Australia to resettle up to 150 transferees annually within the Refugee Quota Programme is sought. Transferees are subject to Australia's offshore processing legislation, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, Papua New Guinea (PNG). Resettlement of the transferees in New Zealand will not commence before July 2014, 6(a)
4. We recommend that the Refugee Quota Programme remain at 750 (plus or minus 10 per cent) each year, with the up to 150 transferees included within the 750. This will mean a corresponding reduction in the resettlement of refugees referred by the United Nations High Commissioner for Refugees (UNHCR). 6(a)
9(2)(b)
5. In 2010, Cabinet agreed that the Refugee Quota Programme be partially re-focused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific and approximately 50 per cent allocated to refugees from the rest of the world. The rest of the world is made up of the Africa, Middle East and Americas regions¹. Cabinet also agreed to establish a family-linked criterion for refugees from Africa and the Middle East regions. Due to difficulties in identifying or being able to access sufficient cases, the family-linked criterion for refugees from Africa and the Middle East regions is expected to result in the 2010/11 to 2011/13 Refugee Quota Programme allocations from those regions being only 4 per cent from Africa and 10 per cent from the Middle East. Sixty-nine per cent of refugees will be settled from the Asia-Pacific region.

¹ 'Region' refers to the place from which the refugees are referred for resettlement, not the nationality or country of origin of the refugees.

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6. It is proposed that from 2013/14 to 2015/16, the Refugee Quota Programme maintains a balance of approximately 50 per cent of UNHCR-referred refugees from the Asia-Pacific region and 50 per cent from the rest of the world. Since, from 2014/15, up to 20 per cent of the Refugee Quota will be allocated to transferees, we propose that 40 per cent of the Refugee Quota be allocated to refugees from the Asia-Pacific region and 40 per cent to 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). For 2013/14, we propose that the regional allocations be the same as subsequent years,

6(a) evenly spread between the Asia Pacific region and the rest of the world.

7. In order that the desired regional balance is achieved and to respond to global priorities for refugee protection and resettlement, it is proposed that:

- for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet this criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred priority refugees from the Africa and Middle East regions, and
- New Zealand offer to resettle, within the agreed regional allocations, up to 50 UNHCR-referred refugees who require emergency resettlement from large-scale refugee crisis situations.

8.

- 6(a)
- there may not be sufficient capacity on the site of the Mangere Refugee Resettlement Centre (MRRC) if New Zealand experienced large-scale mass arrivals.

The Refugee Quota Programme

9. New Zealand has operated a Refugee Quota since 1987, when Cabinet endorsed an annual intake of refugees [SE (87) M 8/5]. New Zealand resettles 750 quota refugees (plus or minus 10 per cent) each year as part of our international commitment to the United Nations High Commission for Refugees (UNHCR) to meet protection needs². This places New Zealand sixth equal, in terms of numbers, among those countries that accepted UNHCR-referred refugees (refer Appendix One).
10. In 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Foreign Affairs and the Minister of Immigration, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3]. Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme.

² At the end of 2011, there were approximately 10.4 million refugees world-wide receiving protection and assistance from the UNHCR. The UNHCR estimates that over 800,000 of those refugees are in need of being resettled, but global capacity for resettlement currently stands at 80,000 – 85,000 places annually.

Arrangement with Australia to resettle refugees

11. On 9 February 2013³, the Prime Minister announced that New Zealand will resettle each year up to 150 refugees who are subject to Australia's offshore processing, as part of a regional approach to irregular migration. Those who arrived in Australia irregularly by boat from 13 August 2012 are subject to Australia's offshore processing legislation, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, Papua New Guinea (PNG). To distinguish them from UNHCR-referred refugees, they are referred to in this paper as transferees.
12. New Zealand will select the up to 150 transferees it will resettle. Transferees will be people whose refugee status has already been confirmed by the relevant country authorities. New Zealand will not accept those who pose a security risk or where there are character or credibility concerns, or where transferees do not wish to be resettled in New Zealand. The same health criteria for quota refugees will also apply to the transferees. New Zealand has expressed a preference to resettle family groups

9(2)(a)(i)

13. Resettlement of the transferees in New Zealand will not commence before July 2014

6(a) 6(b)(i)

There have been delays in the commencement of processing of refugee claims at the offshore processing centres.

14. Once the transferees arrive in New Zealand, it is proposed that they are supported to settle in the same way as quota refugees. They will undergo the same six week orientation programme at the Mangere Refugee Resettlement Centre (MRRC) as quota refugees and receive settlement support to assist them into employment and successful integration into New Zealand society. Since they meet the definition of refugee in the Immigration Act 2009, transferees will have the same access to benefits as other refugees. It is proposed the transferees will have the same access to family reunification as quota refugees.
15. The number of transferees that New Zealand resettles in 2014/15 may be significantly fewer than 150 if there are not sufficient transferees who meet New Zealand's selection criteria. The asylum claims of the transferees in Nauru and PNG will be determined under each country's national legislation.
16. The caseload from which New Zealand can select is not yet known. Many of the transferees are unaccompanied men and it is not yet known how many family groups among the transferees will have had their refugee status approved. It is proposed that the details of the arrangement with Australia be approved by the Ministers of Foreign Affairs and Immigration as part of the annual Refugee Quota Programme approval process in early 2014. In the event that there are insufficient transferees selected to fill the available places, the Ministers of Foreign Affairs and Immigration will be asked to decide an appropriate response, such as leaving the places unfilled or having them filled by UNHCR-referred cases.

- 17.

6(a)

³ The Prime Minister's announcement followed the annual Australia-New Zealand Leaders' meeting.

Maintain New Zealand's Refugee Quota Programme at 750 annually

18. New Zealand's Refugee Quota has remained at 750 (plus or minus 10 per cent) since 1997. The effect of resettling up to 150 transferees without increasing the Refugee Quota is to reduce the number of refugees referred by UNHCR to 600 each year⁴. (In 2012, Australia doubled its resettlement commitment to reach 12,000 UNHCR-referred refugees annually).

9(2)(i)

Refugees referred by UNHCR have priority protection needs as assessed globally against international protection criteria. The transferees may not have the same priority protection needs.

19. If New Zealand were to maintain its current commitment to resettling 750 UNHCR-referred refugees in addition to the 150 transferees, the Refugee Quota would need to be increased to 900 each year. The total cost of resettling an additional 150 refugees for their first three years in New Zealand is estimated to be an additional \$11.57 million annually⁵. The additional cost could not be met from within agencies' baselines, so new funding would be required. The additional 150 refugees each year could also place pressure on housing and the capacity of other settlement services. The option of increasing the Refugee Quota to 900 places annually is therefore not recommended. Instead, it is recommended that the Refugee Quota remain at 750 (plus or minus 10 per cent) each year, with the up to 150 transferees included within the 750.

22.

..... f New Zealand were to experience a large mass arrival of asylum seekers, Cabinet would be asked to consider options to manage the processing of the mass arrival of asylum seekers and the Refugee Quota Programme. Options could include temporarily suspending the Refugee Quota Programme

6(a) 9(2)(i)

⁴ If other resettlement countries' refugee resettlement targets remain unchanged, New Zealand's total annual resettlement target of 600 UNHCR-referred refugees from 2014/15 would place it at eighth highest globally in terms of annual numbers of UNHCR-referred refugees.

⁵ The estimates assume \$77,116 per refugee per year. Costs include refugee-specific and mainstream funding, including immigration, health, education, employment-related services, income support and housing, averaged over the first three years of resettlement in New Zealand.

Respond to global priorities while maintaining focus on the Asia-Pacific region

23. In 2010, Cabinet agreed that the Refugee Quota Programme be partially re-focused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 per cent allocated to refugees from the rest of the world [CAB Min (10) 30/8 and DES Min (10) 2/3]. The rest of the world is made up of the Africa, Middle East and the Americas regions.
24. Cabinet also agreed to establish a family-linked criterion for refugees from Africa and the Middle East regions. This meant refugees from Africa and the Middle East regions were accepted only if they have immediate family members in New Zealand, or, in the case of UNHCR priority protection cases, relatives in New Zealand. However, UNHCR has experienced difficulties in identifying or accessing sufficient family-linked cases from Africa and the Middle East region.

Impact of Africa and Middle East family-linked criterion

25. The impact of the Africa and Middle East family-linked criterion on the three-year Refugee Quota Programme (2010/11 to 2012/13) has been a regional allocation of 69 per cent of refugees from the Asia-Pacific region and 31 per cent from the rest of the world, as Table Two below shows.

Table Two: Comparison of 2010 Cabinet-agreed allocations by region and expected actual allocations of refugees for 2010/11 to 2012/13*

2010 Cabinet-agreed allocations by region		Expected actual allocations by region for 2010/11 to 2012/13	
Asia Pacific	52%	Asia Pacific	69%
Africa**	13%	Africa**	4%
Middle East**	17%	Middle East**	10%
Americas	18%	Americas	17%
Total rest of world	48%	Total rest of world	31%

* Region refers to the domicile of the refugees when accepted for resettlement; not their country of origin or nationality.

** Family-linked cases only.

26. If the family-linked criterion for the Africa and Middle East regions were applied in a less restrictive way, New Zealand's Refugee Quota Programme could respond with more flexibility to the priority protection and resettlement needs of refugees. As shown in Table Three below, the Africa region has the greatest number of refugees requiring priority resettlement, as assessed by UNHCR in their submission to New Zealand's 2012/13 to 2015/16 Refugee Quota Programme.

Table Three: UNHCR assessment of resettlement needs by region as at December 2012

Refugee numbers and percentage	Africa	Middle East and North Africa	Americas	Asia Pacific
Requiring priority resettlement in 2013	76,435 (47%)	23,325 (14%)	12,286 (8%)	49,891 (31%)
Total requiring resettlement	354,798 (43%)	48,924 (6%)	32,020 (4%)	388,339 (47%)

For Africa and Middle East regions, prioritise family-linked refugees but fill remaining places

27. It is proposed that, for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet this criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred priority refugees from the

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Africa and Middle East regions⁶. The advantages of this approach, over the current very restrictive approach, is that New Zealand's Refugee Quota Programme could:

- maintain the balance of approximately 50 per cent of UNHCR-referred refugees resettled from the Asia-Pacific region and 50 per cent resettled from the rest of the world, that was agreed by Cabinet in 2010, and
- respond to global priorities for refugee protection and resettlement.

Offer to resettle some refugees from crisis situations

28. It is proposed that New Zealand offer to resettle, within the Refugee Quota, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations. This would be part of a global response to refugee crisis situations as they arise (such as those in the Middle East region arising from the current situation in Syria). These refugees would be included within the agreed regional allocations.
29. As with all refugees selected within the Refugee Quota Programme, those resettled from refugee crisis situations would be subject to selection screening and assessment processes focusing on credibility, risk and settlement. An offer to UNHCR to accept refugees from refugee crisis situations would help offset the view that New Zealand is accepting transferees who may have lower priority protection and resettlement needs.

Not count transferees within regional allocations

30. The up to 150 transferees will comprise up to 20 per cent of the Refugee Quota from 2014/15. Since the transferees will be referred from Nauru, PNG or Australia, they could be considered to be included within the Asia-Pacific regional allocation. However, if they were, a regional allocation of 50 per cent of refugees from the Asia-Pacific region would mean only 30 per cent of UNHCR-referred refugees were from the Asia-Pacific region.
31. In order to preserve a balance of approximately 50 per cent of UNHCR-referred refugees from the Asia Pacific region, and 50 per cent from the rest of the world, we propose not counting the transferees within the regional allocations. This would mean that from 2014/15, the Refugee Quota would be allocated as shown in Table Four.

Table Four: Proposed regional allocations from 2014/15

	Asia-Pacific region	Rest of world	Transferees (Nauru, PNG and Australia)
Asia Pacific	300 (40 %)	300 (40 %) - Africa: 83 (11%) - Middle East 82 (11%) - Americas 135 (18%)	Up to 150 (Up to 20%)

*Assumes a Refugee Quota Programme of 750 places. Refugee numbers are approximate only.

32. 6(a) 6(b)(i) 9(2)(j)

Retain the Women at risk and Medical/disabled refugee places

33. Currently, at least 75 places within the Refugee Quota Programme are available for Women at risk and up to 75 places for Medical/disabled refugees. These places are allocated according to need rather than on a regional basis. This represents a valued

⁶ All cases submitted to the Refugee Quota Programme undergo a comprehensive selection screening and assessment process which focuses on credibility, risk and settlement.

contribution from New Zealand to the resettlement of vulnerable refugees, so it is not proposed to change that commitment.

The Refugee Quota Programme 2013/14 to 2015/16

34.

9(2)(j)

Table Five: Refugee Quota by Category 2013/14 to 2015/16

<i>General Protection</i>	<i>Transferees</i>	<i>Women at risk</i>	<i>Medical/disabled</i>	<i>Total</i>
450	Up to 150*	At least 75	Up to 75	750

*From 2014/15.

- 35. The focus on the Asia-Pacific region would be retained (refer Table Four). The regional balance would more closely match that agreed by Cabinet in 2010 than that which resulted from the restrictive application of the family-link criterion for the Africa and Middle East regions. The number of refugees resettled from the Americas would remain unchanged.
- 36. New Zealand will continue to undertake annual consultations with Australia on working jointly on the selection and resettlement of specific groups of quota refugees from the Asia-Pacific region within each of the countries' resettlement programmes. In 2012/13 there was an agreed joint focus on selection and resettlement of refugees from Indonesia. The future joint focus is likely to include refugees from Malaysia.

New Zealand's use of offshore processing centres remains a future option

37.

6(a)

9(2)(h)

38.

9(2)(h)

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Consultation

39. The Ministries of Education, Health, Justice, and Social Development, the Office of Ethnic Affairs, and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Human rights

40. The proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Legislative and Regulatory Implications

41. There are no legislative or regulatory implications arising from the proposals at this time. A regulatory impact statement is not required.

Communications

42. New Zealand's agreement to accept up to 150 transferees has already been well publicised. There appears to be no need to publicise Cabinet's formal confirmation. The Minister of Immigration will respond to the UNHCR's submission on New Zealand's Refugee Quota Programme, advising the outcome of Cabinet decisions on the planned size and regional balance of the Refugee Quota Programme for 2013/14 – 2015/16. Key Non-Governmental Groups involved in resettlement of refugees will also be informed in time for planning to be undertaken for the 2013/14 year.

Recommendations

43. The Minister of Foreign Affairs and the Minister of Immigration recommend that the Committee:
1. **note** that, in 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Immigration and the Minister of Foreign Affairs, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3];
 2. **note** that Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme;
 3. **agree** that New Zealand resettle up to 150 refugees annually who have been subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme from July 2014, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, Papua New Guinea;
 4. **agree** that the details of the arrangement for New Zealand resettling up to 150 transferees annually be approved by the Ministers of Foreign Affairs and Immigration as part of the annual Refugee Quota approval process in early 2014;
 5. **note** that including the up to 150 transferees within the current annual total for the Refugee Quota Programme (750 plus or minus 10 per cent) means that the number of United Nations High Commission for Refugees (UNHCR) referred refugees will reduce from 750 to around 600 annually;
 6. **agree** that the Refugee Quota Programme remains at 750 annually (plus or minus 10 per cent), with the up to 150 transferees included within the 750 total;
 7. **6(a) 9(2)(j)**

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8. **note** that in 2010, Cabinet agreed that the Refugee Quota be partially refocused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 per cent of places allocated to refugees from the rest of the world [DES Min (10) 2/3];
9. **note** that, due to the difficulties in identifying or accessing sufficient cases, the family-linked criterion for Africa and Middle East refugees will result in the 2010/11 to 2012/13 Refugee Quota Programme regional allocations being approximately 69 per cent from the Asia-Pacific region and approximately 31 per cent from the rest of the world;
10. **agree** 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, and 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);
11.

6(c) 9(2)(j)
12. **agree** that for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet that criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred refugees from the Africa and Middle East regions;
13. **agree** that New Zealand offer to resettle, within the regional allocations in recommendations 10 and 11, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations;
14. **note** that at least 75 places within the annual Refugee Quota Programme will be retained for Women at Risk places and up to 75 places for Medical/Disabled refugees;
15. **note** that New Zealand officials will continue to consult Australian officials annually on the selection and resettlement of quota refugees from the Asia-Pacific region, with a view to taking a joint approach to resettling quota refugees within our respective resettlement programmes;
16.

6(a) 9(2)(h)
17. **agree** that New Zealand's use of offshore processing centres for processing a mass arrival of asylum seekers remains a future option.

Hon Michael Woodhouse
Minister of Immigration

Hon Murray McCully
Minister of Foreign Affairs

_____/_____/_____/

_____/_____/_____/

APPENDIX ONE

**Country UNHCR-referred refugee resettlement targets, July 2011
– Ten highest only**

Countries	Resettlement target 2011
United States	62,000
Canada	Up to 8,000
Australia*	*6,000
Sweden	1,900
Norway	1,120
Finland	750
New Zealand	**750
United Kingdom	750
Denmark	500
Netherlands	500

Source: UNHCR Resettlement Handbook, July 2011

- * In 2012, Australia doubled its commitment to 12,000
- ** It is proposed in this paper that New Zealand reduces its commitment to 600 each year from 2014/15

RELEASED UNDER THE OFFICIAL INFORMATION ACT



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Briefing: Amended Cabinet paper: *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*

Date Sent:	21 May 2013	Tracker No:	13/02528
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to sign the attached Cabinet paper and CAB 100 form	27 May 2013
Minister of Foreign Affairs (Hon Murray McCully)	Agree to sign the attached Cabinet paper	29 May 2013
Associate Minister of Immigration (Hon Nikki Kaye)	For information	

Agencies Consulted (include contact where relevant)

The Ministries of Education, Health, Justice and Social Development, the Office of Ethnic Affairs and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
		9(2)(a)	N/A
Christine Hyndman	Manager, Immigration Policy, MBIE	9(2)(a)	
		9(2)(a)	
Felicity Buchanan	Divisional Manager, International Security and Disarmament Division MFAT	9(2)(a)	

Minister's Office Actions (if required)

The office of the Minister of Immigration to forward the Cabinet paper, once signed, to the Minister of Foreign Affairs for his signature. The paper and CAB 100 form to be lodged by 10am 30 May 2013.

Enclosure: Yes – amended Cabinet paper for signing and CAB 100 form

Minister's Comments



**Ministry of Business,
Innovation & Employment**

In Confidence

21 May 2013

13/02528

Ministry of Business, Innovation and Employment Briefing:
*Amended Cabinet Paper: Refugee Quota Programme 2013/14 to
2015/16 and arrangement with Australia to resettle refugees*

Recommended Action

The Ministry of Business, Innovation and Employment and the Ministry of Foreign Affairs and Trade recommend that you:

a **note** that you discussed this paper at your joint meeting of 7 May 2013

Noted

b

6(a)

c **note** that the Cabinet paper is due to be considered by the Cabinet External Relations and Defence Committee on 5 June 2013

Noted

d **agree** to sign the attached Cabinet paper by 29 May 2013 so it can be lodged with the Cabinet office by 10am on 30 May 2013

Agree/discuss

e **agree** that the Minister of Immigration signs the CAB 100 form. -

Agree/discuss

Christine Hyndman
Manager, Immigration Policy
**Ministry of Business, Innovation and
Employment**

___/___/___

Hon Michael Woodhouse
Minister of Immigration

___/___/___

Felicity Buchanan, Divisional Manager
International Security and Disarmament
Division
Ministry of Foreign Affairs and Trade

___/___/___

Hon Murray McCully
Minister of Foreign Affairs

___/___/___

Purpose

1. This paper seeks your agreement to sign the attached Cabinet paper *Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees*. The Minister of Immigration is asked to sign the CAB 100 form.

Steps so far

2. The Ministry of Business, Innovation and Employment and the Ministry of Foreign Affairs and Trade provided a briefing (tracker number 13/01729) and draft Cabinet paper on 30 April 2013. The draft Cabinet paper was one of the items discussed at your joint meeting of 7 May 2013: 6(a) 9(2)(j)

Amendments made to the paper

3. 6(a) 9(2)(j)
4. Reference to the Cabinet approval of the rebuild of the Mangere Refugee Reception Centre being subject to Budget 2013 approval has been removed since the Budget announcement has been made.

Next steps

5. The Minister of Immigration is asked to sign the Cabinet paper and the CAB 100 form. The office of the Minister of Immigration can then arrange for the Cabinet paper to be forwarded to the Minister of Foreign Affairs for his signature.
6. In order for the Cabinet paper to be considered by the Cabinet External Relations and Defence Committee on 5 June 2013, it must be signed and lodged at the Cabinet Office by 10 am on 30 May 2013.



Ministry of Business, Innovation & Employment

Ministry of Business, Innovation and Employment Cabinet Paper: Refugee Quota Programme 2013/14 to 2015/16 and arrangement with Australia to resettle refugees

Date Sent:	29 May 2013	Tracker No:	13/01727
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Action Sought

	Action Sought	Deadline for Action
Minister of Immigration (Hon Michael Woodhouse)	Agree to sign the attached Cabinet paper and CAB 100 form	27 May 2013
Minister of Foreign Affairs (Hon Murray McCully)	Agree to sign the attached Cabinet paper	29 May 2013
Associate Minister of Immigration Hon Nikki Kaye	For information	N/A

Agencies Consulted (include contact where relevant)

The Ministries of Education, Health, Justice and Social Development, the Office of Ethnic Affairs and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
		9(2)(a)	
Christine Hyndman	Manager, Immigration Policy, MBIE	9(2)(a)	
		9(2)(a)	
Felicity Buchanan	Divisional Manager, International Security and Disarmament Division, MFAT	9(2)(a)	

Minister's Comments

REFUGEE QUOTA PROGRAMME 2013/14 TO 2015/16 AND ARRANGEMENT WITH AUSTRALIA TO RESETTLE REFUGEES

Purpose

1. This paper seeks Cabinet's:
 - confirmation that New Zealand agrees to resettle up to 150 refugees annually who are subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme, and
 - decisions on the size, regional balance and protection priorities of the three-year Refugee Quota Programme for 2013/14 to 2015/16.

Executive Summary

2. In 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Foreign Affairs and the Minister of Immigration, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3]. Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme.
3. Confirmation of New Zealand's agreement with Australia to resettle up to 150 transferees annually within the Refugee Quota Programme is sought. Transferees are subject to Australia's offshore processing legislation, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, Papua New Guinea (PNG). Resettlement of the transferees in New Zealand would not commence before July 2014.
4. We recommend that the Refugee Quota Programme remain at 750 (plus or minus 10 per cent) each year, with the up to 150 transferees included within the 750. This would mean a corresponding reduction in the resettlement of refugees referred by the United Nations High Commissioner for Refugees (UNHCR).
6(a)
5. In 2010, Cabinet agreed that the Refugee Quota Programme be partially re-focused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific and approximately 50 per cent allocated to refugees from the rest of the world. The rest of the world is made up of the Africa, Middle East and Americas regions¹. Cabinet also agreed to establish a family-linked criterion for refugees from Africa and the Middle East regions. Due to difficulties in identifying or being able to access sufficient cases, the family-linked criterion for refugees from Africa and the Middle East regions is expected to result in the 2010/11 to 2011/13 Refugee Quota Programme allocations from those regions being only 4 per cent from Africa and 10 per cent from
6(a) 9(2)(j)

¹ 'Region' refers to the place from which the refugees are referred for resettlement, not the nationality or country of origin of the refugees.

the Middle East. Sixty-nine per cent of refugees will be settled from the Asia-Pacific region.

6. It is proposed that the 2013/14 to 2015/16 Refugee Quota Programme maintains a balance of approximately 50 per cent of UNHCR-referred refugees from the Asia-Pacific region and 50 per cent from the rest of the world. Since up to 20 per cent of the Refugee Quota will be allocated to ~~transferees~~ ^{6(a) a(2)(i)}, we propose that 40 per cent of the Refugee Quota be allocated to refugees from the Asia-Pacific region and 40 per cent to 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). ^{6(a) a(2)(j)}

The UNHCR-referred refugees would be evenly spread between the Asia-Pacific region and the rest of the world.

7. In order that the desired regional balance is achieved and to respond to global priorities for refugee protection and resettlement, it is proposed that
- for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet this criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred priority refugees from the Africa and Middle East regions, and
 - New Zealand offer to resettle, within the agreed regional allocations, up to 50 UNHCR-referred refugees who require emergency resettlement from large-scale refugee crisis situations.

8.

The Refugee Quota Programme

9. New Zealand has operated a Refugee Quota since 1987, when Cabinet endorsed an annual intake of refugees [SE (87) M 8/5]. New Zealand resettles 750 quota refugees (plus or minus 10 per cent) each year as part of our international commitment to the UNHCR to meet protection needs². This places New Zealand sixth equal, in terms of numbers, among those countries that accepted UNHCR-referred refugees (refer Appendix One).
10. In 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Foreign Affairs and the Minister of Immigration, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3]. Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme.

² At the end of 2011, there were approximately 10.4 million refugees world-wide receiving protection and assistance from the UNHCR. The UNHCR estimates that over 800,000 of those refugees are in need of being resettled, but global capacity for resettlement currently stands at 80,000 – 85,000 places annually.

Arrangement with Australia to resettle refugees

11. On 9 February 2013³, the Prime Minister announced that New Zealand will resettle each year up to 150 refugees who are subject to Australia's offshore processing, as part of a regional approach to irregular migration. Those who arrived in Australia irregularly by boat from 13 August 2012 are subject to Australia's offshore processing legislation, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, PNG. To distinguish them from UNHCR-referred refugees, they are referred to in this paper as transferees.
12. New Zealand will select the up to 150 transferees it will resettle. Transferees will be people whose refugee status has already been confirmed by the relevant country authorities. New Zealand will not accept those who pose a security risk or where there are character or credibility concerns, or where transferees do not wish to be resettled in New Zealand. The same health criteria for quota refugees will also apply to the transferees. New Zealand has expressed a preference to resettle family groups
13. Resettlement of the transferees in New Zealand will not commence before July 2014

There have been delays in the commencement of processing of refugee claims at the offshore processing centres.

14. Once the transferees arrive in New Zealand, it is proposed that they be supported to settle in the same way as quota refugees. They will undergo the same six week reception programme as quota refugees and receive settlement support to assist them into employment and successful integration into New Zealand society. Since they meet the definition of refugee in the Immigration Act 2009, transferees will have the same access to benefits as other refugees. It is proposed the transferees will have the same access to family reunification as quota refugees.
15. The number of transferees that New Zealand resettles in 2014/15 may be significantly fewer than 150 if there are not sufficient transferees who meet New Zealand's selection criteria. The asylum claims of the transferees in Nauru and PNG will be determined under each country's national legislation.
16. The caseload from which New Zealand can select is not yet known. Many of the transferees are unaccompanied men and it is not yet known how many family groups among the transferees will have had their refugee status approved. It is proposed that the details of the arrangement with Australia be approved by the Ministers of Foreign Affairs and Immigration as part of the annual Refugee Quota Programme approval process in early 2014. In the event that there are insufficient transferees selected to fill the available places, the Ministers of Foreign Affairs and Immigration will be asked to decide an appropriate response, such as leaving the places unfilled or having them filled by UNHCR-referred cases.
- 17.

³ The Prime Minister's announcement followed the annual Australia-New Zealand Leaders' meeting.

Maintain New Zealand's Refugee Quota Programme at 750 annually

18. New Zealand's Refugee Quota has remained at 750 (plus or minus 10 per cent) since 1997. The effect of resettling up to 150 transferees without increasing the Refugee Quota is to reduce the number of refugees referred by UNHCR to 600 each year⁴. (In 2012, Australia doubled its resettlement commitment to reach 12,000 UNHCR-referred refugees annually).

Refugees referred by UNHCR have priority protection needs as assessed globally against international protection criteria. The transferees may not have the same priority protection needs.

19. If New Zealand were to maintain its current commitment to resettling 750 UNHCR-referred refugees in addition to the 150 transferees, the Refugee Quota would need to be increased to 900 each year. The total cost of resettling an additional 150 refugees for their first three years in New Zealand is estimated to be an additional \$11.57 million⁵ for the three year period. The additional cost could not be met from within agencies' baselines, so new funding would be required. The additional 150 refugees each year could also place pressure on housing and the capacity of other settlement services. The option of increasing the Refugee Quota to 900 places annually is therefore not recommended. Instead, it is recommended that the Refugee Quota remain at 750 (plus or minus 10 per cent) each year, with the up to 150 transferees included within the 750.

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If New Zealand were to experience a large mass arrival of asylum seekers, Cabinet would be asked to consider options to manage the processing of the mass arrival of asylum seekers and the Refugee Quota Programme. Options could include temporarily suspending the Refugee Quota Programme

⁴ If other resettlement countries' refugee resettlement targets remain unchanged, New Zealand's total annual resettlement target of 600 UNHCR-referred refugees from 2014/15 would place it at eighth highest globally in terms of annual numbers of UNHCR-referred refugees.

⁵ The estimates assume \$77,116 per refugee over the first three year period. Costs include refugee-specific and mainstream funding, including immigration, health, education, employment-related services, income support and housing, averaged over the first three years of resettlement in New Zealand.

23.

6 (a) 9(2)(j)

Respond to global priorities while maintaining focus on the Asia-Pacific region

- 24. In 2010, Cabinet agreed that the Refugee Quota Programme be partially re-focused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 per cent allocated to refugees from the rest of the world [CAB Min (10) 30/8 and DES Min (10) 2/3]. The rest of the world is made up of the Africa, Middle East and the Americas regions.
- 25. Cabinet also agreed to establish a family-linked criterion for refugees from Africa and the Middle East regions. This meant refugees from Africa and the Middle East regions were accepted only if they have immediate family members in New Zealand, or, in the case of UNHCR priority protection cases, relatives in New Zealand. However, UNHCR has experienced difficulties in identifying or accessing sufficient family-linked cases from Africa and the Middle East region.

Impact of Africa and Middle East family-linked criterion

- 26. The impact of the Africa and Middle East family-linked criterion on the three-year 2010/11 to 2012/13 Refugee Quota Programme has been a regional allocation of 69 per cent of refugees from the Asia-Pacific region and 31 per cent from the rest of the world, as Table Two below shows

Table Two: Comparison of 2010 Cabinet-agreed allocations by region and expected actual allocations of refugees for 2010/11 to 2012/13*

2010 Cabinet-agreed allocations by region		Expected actual allocations by region for 2010/11 to 2012/13	
Asia-Pacific	52%	Asia-Pacific	69%
Africa**	13%	Africa**	4%
Middle East**	17%	Middle East**	10%
Americas	18%	Americas	17%
Total rest of world	48%	Total rest of world	31%

* Region refers to the domicile of the refugees when accepted for resettlement; not their country of origin or nationality.
 ** Family-linked cases only.

- 27. If the family-linked criterion for the Africa and Middle East regions were applied in a less restrictive way, New Zealand's Refugee Quota Programme could respond with more flexibility to the priority protection and resettlement needs of refugees. As shown in Table Three below, the Africa region has the greatest number of refugees requiring priority resettlement, as assessed by UNHCR in their submission to New Zealand's 2012/13 to 2015/16 Refugee Quota Programme.

Table Three: UNHCR assessment of resettlement needs by region as at December 2012

Refugee numbers and percentage	Africa	Middle East and North Africa	Americas	Asia-Pacific
Requiring priority resettlement in 2013	76,435 (47%)	23,325 (14%)	12,286 (8%)	49,891 (31%)
Total requiring resettlement	354,798 (43%)	48,924 (6%)	32,020 (4%)	388,339 (47%)

For Africa and Middle East regions, prioritise family-linked refugees but fill remaining places

28. It is proposed that, for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet this criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred priority refugees from the Africa and Middle East regions⁶. The advantages of this approach, over the current very restrictive approach, is that New Zealand's Refugee Quota Programme could:
- maintain the balance of approximately 50 per cent of UNHCR-referred refugees resettled from the Asia-Pacific region and 50 per cent resettled from the rest of the world, that was agreed by Cabinet in 2010, and
 - respond to global priorities for refugee protection and resettlement.

Offer to resettle some refugees from crisis situations

29. It is proposed that New Zealand offer to resettle, within the Refugee Quota, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations. This would be part of a global response to refugee crisis situations as they arise (such as those in the Middle East region arising from the current situation in Syria). These refugees would be included within the agreed regional allocations.
30. As with all refugees selected within the Refugee Quota Programme, those resettled from refugee crisis situations would be subject to selection screening and assessment processes focusing on credibility, risk and settlement. An offer to UNHCR to accept refugees from refugee crisis situations would help offset the view that New Zealand is accepting transferees who may have lower priority protection and resettlement needs.

Not count transferees within regional allocations

31. The up to 150 transferees will comprise up to 20 per cent of the Refugee Quota from 2014/15. Since the transferees will be resettled from Nauru, PNG or Australia, they could be considered to be included within the Asia-Pacific regional allocation. However, if they were, a regional allocation of 50 per cent of refugees from the Asia-Pacific region would mean that only 30 per cent would be UNHCR-referred refugees from that region.
32. In order to preserve a balance of approximately 50 per cent of UNHCR-referred refugees from the Asia-Pacific region, and 50 per cent from the rest of the world, we propose not counting the transferees within the regional allocations. This would mean that from 2014/15, the Refugee Quota would be allocated as shown in Table Four.

Table Four. Proposed regional allocations from 2014/15

	Asia-Pacific region	Rest of world	Transferees (Nauru, PNG and Australia)
Asia-Pacific	300 (40 %)	300 (40 %) <ul style="list-style-type: none"> - Africa: 83 (11%) - Middle East 82 (11%) - Americas 135 (18%) 	Up to 150 (Up to 20%)

*Assumes a Refugee Quota Programme of 750 places. Refugee numbers are approximate only.

33.

6(a) 9(?) (j)

⁶ All cases submitted to the Refugee Quota Programme undergo a comprehensive selection screening and assessment process which focuses on credibility, risk and settlement.

6(a) 9(2)(j)

Retain the Women at risk and Medical/disabled refugee places

- 34. Currently, at least 75 places within the Refugee Quota Programme are available for Women at risk and up to 75 places for Medical/disabled refugees. These places are allocated according to need rather than on a regional basis. This represents a valued contribution from New Zealand to the resettlement of vulnerable refugees, so it is not proposed to change that commitment.

The Refugee Quota Programme 2013/14 to 2015/16

35.

6(a) 9(2)(j)

Table Five: Refugee Quota by Category 2013/14 to 2015/16

General Protection	6(a) 9(2)(j)	Women at risk	Medical/disabled	Total
450	Up to 150*	At least 75	Up to 75	750

6(a) 9(2)(j)

- 36. The focus on the Asia-Pacific region would be retained (refer Table Four). The regional balance would more closely match that agreed by Cabinet in 2010 than that which resulted from the restrictive application of the family-link criterion for the Africa and Middle East regions. The number of refugees resettled from the Americas would remain unchanged.
- 37. New Zealand will continue to undertake annual consultations with Australia on working jointly on the selection and resettlement of specific groups of quota refugees from the Asia-Pacific region within each of the countries' resettlement programmes. In 2012/13 there was an agreed joint focus on selection and resettlement of refugees from Indonesia. The future joint focus is likely to include refugees from Malaysia.

New Zealand's use of offshore processing centres remains a future option

38.

6(a)

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Consultation

40. The Ministries of Education, Health, Justice, and Social Development, the Office of Ethnic Affairs, and the Treasury have been consulted. The Department of the Prime Minister and Cabinet has been informed.

Human rights

41. The proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Legislative and Regulatory Implications

42. There are no legislative or regulatory implications arising from the proposals at this time. A regulatory impact statement is not required.

Communications

43. New Zealand's agreement to accept up to 150 transferees has already been well publicised. There appears to be no need to publicise Cabinet's formal confirmation. The Minister of Immigration will respond to the UNHCR's submission on New Zealand's Refugee Quota Programme, advising the outcome of Cabinet decisions on the planned size and regional balance of the Refugee Quota Programme for 2013/14 – 2015/16. Key Non-Governmental Groups involved in resettlement of refugees will also be informed in time for planning to be undertaken for the 2013/14 year.

Recommendations

44. The Minister of Foreign Affairs and the Minister of Immigration recommend that the Committee:
 1. **note** that, in 2010, Cabinet agreed to a three-year rolling Refugee Quota Programme, with the composition agreed annually by the Minister of Immigration and the Minister of Foreign Affairs, unless significant changes are proposed that warrant a decision by Cabinet [DES Min (10) 2/3];
 2. **note** that Cabinet decisions are required on the next three-year (2013/14 to 2015/16) Refugee Quota Programme;
 3. **agree** that New Zealand resettle up to 150 refugees annually who have been subject to Australia's offshore processing legislation (transferees) within the Refugee Quota Programme from July 2014, whether or not they have been transferred to offshore processing centres at Nauru or Manus Island, Papua New Guinea;
 4. **agree** that the details of the arrangement for New Zealand resettling up to 150 transferees annually be approved by the Ministers of Foreign Affairs and Immigration as part of the annual Refugee Quota approval process in early 2014;
 5. **note** that including the up to 150 transferees within the current annual total for the Refugee Quota Programme (750 plus or minus 10 per cent) means that the number of United Nations High Commission for Refugees (UNHCR) referred refugees will reduce from 750 to around 600 annually;
 6. **agree** that the Refugee Quota Programme remains at 750 annually (plus or minus 10 per cent), with the up to 150 transferees included within the 750 total;

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6(c)(1) 9(2)(j)

8. **note** that in 2010, Cabinet agreed that the Refugee Quota be partially refocused so that approximately 50 per cent of places would be allocated to refugees from the Asia-Pacific region and approximately 50 per cent of places allocated to refugees from the rest of the world [DES Min (10) 2/3];
9. **note** that, due to the difficulties in identifying or accessing sufficient cases, the family-linked criterion for Africa and Middle East refugees will result in the 2010/11 to 2012/13 Refugee Quota Programme regional allocations being approximately 69 per cent from the Asia-Pacific region and approximately 31 per cent from the rest of the world;
10. **agree** 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, and 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);

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6(c)(1) 9(2)(L)

12. **agree** that for the Africa and Middle East regions, priority be given to resettling family-linked refugees, but if sufficient refugees that meet that criterion have not been identified, the Ministers of Foreign Affairs and Immigration may approve the remaining places being filled with non-family linked UNHCR-referred refugees from the Africa and Middle East regions;
13. **agree** that New Zealand offer to resettle, within the regional allocations in recommendations 10 and 11, up to 50 UNHCR-referred refugees annually who require emergency resettlement from large-scale refugee crisis situations;
14. **note** that at least 75 places within the annual Refugee Quota Programme will be retained for Women at Risk places and up to 75 places for Medical/Disabled refugees;
15. **note** that New Zealand officials will continue to consult Australian officials annually on the selection and resettlement of quota refugees from the Asia-Pacific region, with a view to taking a joint approach to resettling quota refugees within our respective resettlement programmes;

16.

6(c)(a)

17. **agree** that New Zealand's use of offshore processing centres for processing a mass arrival of asylum seekers remains a future option.

Hon Michael Woodhouse
Minister of Immigration

____/____/____

Hon Murray McCully
Minister of Foreign Affairs

____/____/____

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APPENDIX ONE

Country UNHCR-referred refugee resettlement targets, July 2011 – Ten highest only

Countries	Resettlement target 2011
United States	62,000
Canada	Up to 8,000
Australia*	*6,000
Sweden	1,900
Norway	1,120
Finland	750
New Zealand	**750
United Kingdom	750
Denmark	500
Netherlands	500

Source: UNHCR Resettlement Handbook, July 2011

- * In 2012, Australia doubled its commitment to 12,000
- ** It is proposed in this paper that New Zealand reduces its commitment to 600 each year from 2014/15

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