



## AIDE MEMOIRE

### Additional information about the reallocation of 150 Refugee Quota places for 2015/16

Date:	21 July 2015	Priority:	High
Security Classification:	In Confidence	Tracker number:	0207 15 -16

Hon Michael Woodhouse Minister of Immigration	Sign Cabinet paper or advise changes to contents	10 am, Thursday 23 July 2015
Hon Craig Foss Associate Minister of Immigration	Note contents	

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Christine Hyndman	Manager, Immigration Policy	s 9(2)(a)	✓
Floss Caughey	Senior Advisor, Immigration Policy		

The following departments/agencies have been consulted					
<input type="checkbox"/> Treasury	<input type="checkbox"/> MōJ	<input type="checkbox"/> NZTE	<input type="checkbox"/> MSD	<input type="checkbox"/> TEC	<input type="checkbox"/> MoE
<input type="checkbox"/> MFAT	<input type="checkbox"/> MPI	<input type="checkbox"/> MfE	<input type="checkbox"/> DIA	<input type="checkbox"/> TPK	<input type="checkbox"/> MoH
<input type="checkbox"/> Other:		N/A			

Minister's office to complete:

- |   |  |
|---|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Declined            |
| <input type="checkbox"/> Noted                | <input type="checkbox"/> Needs change        |
| <input type="checkbox"/> Seen                 | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn           |

Comments:

# AIDE MEMOIRE

## Additional information about the reallocation of 150 Refugee Quota places for 2015/16

Date:	21 July 2015	Priority:	High
Security Classification:	In Confidence	Tracker number:	0207 15-16

### Purpose

1. This note provides additional information about the reallocation of 150 Refugee Quota places for 2015/16 as context for the Cabinet paper. *Further details about the reallocation of 150 Refugee Quota places for 2015/16.* A decision on the 150 places is now pressing if Syrians are to be included in the 2015/16 intakes.

### Skills criteria

2. We understand that at its meeting of Wednesday 23 June, the External Relations and Defence Committee (ERD) was interested in selection criteria for Syrian refugees. s 9(2)(g)(i)  
s 9(2)(g)(i)

### Issues to be considered

3. Cabinet, in determining the three year programme in 2013, directed that, in the event that Australia did not require the 150 places for resettling transferees from Australia, the places would be reallocated to refugees referred by the UNHCR. s 6(b)(ii)  
s 9(2)(g)(i)
4. Such a change would need to be explicitly reflected in a change to Residence Instructions, which require that Quota refugees are "mandated refugees (people determined to be refugees by the UNHCR before arrival in New Zealand)". s 9(2)(f)(iv)  
s 9(2)(t)(iv)  
s 9(2)(f)(iv) s 6(b)(ii)
5. s 9(2)(b)(ii)
6. This is because of the time taken by the processes to be carried out before individuals can arrive. Those processes start with the UNHCR identifying individuals who meet the new criteria and referring them to Immigration New Zealand for initial assessment. Immigration New Zealand then must undertake in-country interviews and processing (including New Zealand's standard security and biometric checks and medical screening). It is possible to bring in 100 Syrians under existing policy only because Immigration New Zealand has already asked the UNHCR to identify protection cases, against the potential for Cabinet deciding to resettle Syrians.
7. Those protection cases would be ready for immediate referral once a Cabinet decision is made and interviews could then be completed by the end of September. This would leave sufficient

time to make decisions and bring the first group in January 2016, followed by two more groups in March and May.

8. For the 2015/16 places, Cabinet needs to decide the regional allocation only. Cabinet is asked to approve either:
- Option One: relocate all 150 places of the Asia-Pacific region, or
  - Option two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining places to the Asia-Pacific.
9. An alternative split of 75 places to the Asia-Pacific region and 75 places to Syrian refugees is also an option if Cabinet prefers.

s9(2)(f)(iv)

10.

s 6(b)(ii)

The Ministry has started exploring alternative forms of admission for the 2016/17 year onwards, but would not be able to provide advice to Cabinet before early August to meet the timeframes set out above.

11. The Ministry will provide advice on alternative forms of admission to you by the end of November 2015 with a view to you seeking decisions from Cabinet in early 2016. Decisions on the next three year Refugee Quota programme could be sought at the same time. Officials are meeting with Australian officials this week to find out more about their pilot of alternative arrangements of private/community sponsorship of refugees, to assess what might be applicable to the New Zealand context.



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI



**NEW ZEALAND**  
FOREIGN AFFAIRS & TRADE

## BRIEFING

### **Cabinet paper: Further details about the reallocation of 150 Refugee Quota places for 2015/16**

<b>Date:</b>	15 July 2015	<b>Priority:</b>	High
<b>Security classification:</b>	In Confidence	<b>Tracking number:</b>	0065 15-16

<b>Action sought</b>		
	<b>Action sought</b>	<b>Deadline</b>
<b>Hon Michael Woodhouse</b> Minister of Immigration	Sign the attached paper	16 July 2015
<b>Hon Murray McCully</b> Minister of Foreign Affairs	Sign the attached paper	16 July 2015
<b>Hon Craig Foss</b> Associate Minister of Immigration	Copy attached for your information.	N/A

<b>Contact for telephone discussion (if required)</b>			
<b>Name</b>	<b>Position</b>	<b>Telephone</b>	<b>1st contact</b>
Christine Hyndman	Manager, Immigration Policy, MBIE	s 9(2)(a)	✓
Floss Gaughey	Senior Advisor, Immigration Policy		
s 9(2)(a)	Unit Manager, United Nations, Human Rights and Commonwealth		✓

<b>The following departments/agencies have been consulted</b>					
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**Minister's office to complete:**

- |   |  |
|---|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Declined            |
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| <input type="checkbox"/> Seen                 | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn           |



## BRIEFING

### Cabinet paper: *Further details about the reallocation of 150 Refugee Quota Places for 2015/16*

<b>Date:</b>	15 July 2015	<b>Priority:</b>	High
<b>Security classification:</b>	<b>In Confidence</b>	<b>Tracking number:</b>	0065 15-16

#### Purpose

To seek your agreement to sign the attached Cabinet paper, which responds to the External Relations and Defence Committee's (ERD) request to report in July 2015 with a new paper seeking agreement to the reallocation of the 150 transferee places which includes details on the operational implications of the second option [ERD Min (15) 15/2].

#### 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 the second option ERD referred to was to reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region.

*Noted*

- b **note** that the attached paper:

- i) provides further information on the stringent security measures for referring and accepting Syrian refugees which have been put in place by the United Nations High Commissioner for Refugees (UNHCR) and New Zealand working with its Five Country Conference partners as well as operational details of resettling Syrian refugees in 2015/16.

*Noted*

- ii) s6(b)(i)



*Noted*

- iii) recommends Option Two, to reallocate 100 places out of the 150 transferee places to Syrians from the Syrian crisis and the remaining 50 places to refugees resettled from the Asia-Pacific region.

*Noted*

- c **note** that the ERD is now not scheduled to meet until August and, as decisions on the 2015/16 Refugee Quota are required before then, you are asked to sign it so it can be lodged by 10am on Thursday 16 July 2015 either for consideration by the next meeting of the Economic, Growth and Infrastructure Committee or to go straight to Cabinet.

Noted

- d **sign** the attached paper, titled *Further details on the reallocation of 150 Refugee Quota Places for 2015/16*.

Agree / Disagree

*Christine Hyndman*

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

Hon Michael Woodhouse  
**Minister of Immigration**

15/7/15

Lucy Duncan  
**Deputy Secretary**  
Multilateral and Legal Group  
Ministry of Foreign Affairs and Trade

Hon Murray McCully  
**Minister of Foreign Affairs**

15/7/15

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### Consideration by ERD on 23 June 2015

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1. On 23 June 2015, ERD considered the paper *Reallocation of the 150 Refugee Quota places for 2015/16* [ERD (15) 14]. That paper recommended Option One of the two options considered:
  - Option One: reallocate all 150 places to the Asia-Pacific region, or
  - Option Two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region.
2. ERD did not agree to Option One and instead invited the Minister of Foreign Affairs and the Minister of Immigration to report back in July 2015 with a new paper seeking agreement to the reallocation of the 150 transferee places, including details on the operational implications of the second option.

### Further details provided regarding Option Two

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3. The attached draft Cabinet paper recommends Option Two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region. The paper responds to ERD's request to provide further details on Option Two by:
  - explaining the stringent steps to address security concerns relating to Syrian refugees that have been taken by the UNHCR and a core group of settlement countries which includes New Zealand, as well as those taken separately by New Zealand working with its Five Country Conference partners (Australia, Canada, United Kingdom and the United States), and
  - outlining operational details relating to the selection and settlement of Syrian refugees in 2015/16 including:
    - o the robust set of INZ operational risk mitigation practices that are in place with respect to the assessing and screening Quota refugees;
    - o explaining that where New Zealand is not considered the right settlement option for refugees, for example, the refugees have large families which would be difficult to house, or have families in other countries where it is reasonable to expect them to eventually be reunited, they are identified early and are not interviewed;
    - o s6(b)(i)  
[REDACTED]
    - o that decisions on the 100 places for Syrians are required as soon as possible to provide sufficient time to put in place the operational arrangements for their selection and resettlement during 2015/16. A selection mission would need to be completed by September 2015 and selection decisions made by November 2015. The group of Syrian refugees selected would then arrive in three tranches from January 2016, followed by settlement in the settlement regions

### Further advice on other forms of admission

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4. The Cabinet paper is limited to the decision on the 150 places for transferees that need to be reallocated in 2015/16.
5. [REDACTED] s 6(b)(ii) [REDACTED] s 6(b)(i)

6. In consultation with relevant agencies, MBIE will provide advice to Ministers in early 2016 on other forms of admission of refugees when it provides advice on the next three-year Refugee Quota Programme.

**Timing of consideration of paper**

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7. The ERD Committee is now not scheduled to meet until August. However, decisions on the 2015/16 Refugee Quota are now pressing. You are asked to sign the attached paper so it can be lodged by 10 am on Thursday 23 July 2015, or alternatively it could go straight to Cabinet.

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Office of the Minister of Immigration  
Office of the Minister of Foreign Affairs

Cabinet

**FURTHER DETAILS ABOUT THE REALLOCATION OF 150 REFUGEE QUOTA PLACES FOR 2015/16**

**Purpose**

1. This paper responds to the request from the External Relations and Defence Committee (ERD) to report back in July 2015 with a new paper seeking agreement to the reallocation of the 150 transferee places which includes details on the operational implications of the second option relating to the resettlement of refugees from Syria [ERD Min (15) 5/2].

**Executive summary**

2. On 23 June 2015, ERD considered the paper *Reallocation of the 150 Refugee Quota places for 2015/16* [ERD (15) 13]. A Cabinet decision is required on the reallocation of the 150 places

s 6(b)(i)

ERD requested a new paper in July 2015 seeking agreement to the reallocation of the 150 places, including details on the operational implications of the second option. As ERD is now not meeting in July, the paper is referred to Cabinet.

3. The options for reallocation proposed in the paper considered by ERD on 23 June 2015 were:
  - Option One: reallocate all 150 places to the Asia-Pacific region OR
  - Option Two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region.
4. Following consideration by ERD on 23 June, this paper now supports Option Two, reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region. In response to Ministers' request for additional details on Option Two, this paper provides further information on UNHCR's processes around the resettlement of refugees from the Syrian crisis, as well as on operational implications for New Zealand of resettling Syrian refugees in 2015/16.

**Consideration by ERD on 23 June 2013**

5. On 23 June 2015, ERD considered the paper *Reallocation of the 150 Refugee Quota places for 2015/16* [ERD (15) 13]. ERD noted that in June 2013, Cabinet agreed that, if the 150 transferee places were not required for resettling transferees from Australia, the places would be reallocated to refugees referred by the United Nations High Commissioner for Refugees (UNHCR), subject to Cabinet's consideration of regional allocations [CAB Min (13) 20/15].

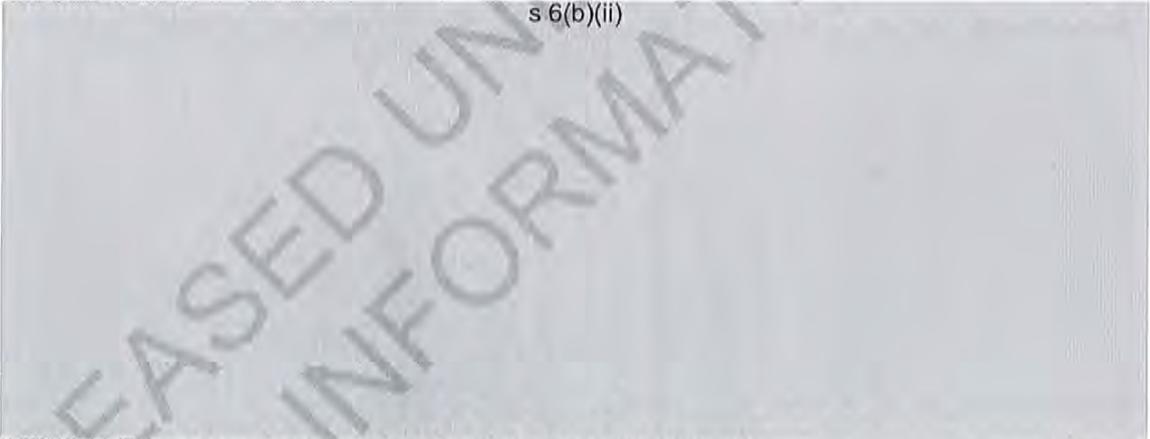
s 6(b)(i)

6. The options for reallocation proposed in the paper considered by ERD on 23 June 2015 were:
  - Option One: reallocate all 150 places to the Asia-Pacific region, or

**In Confidence**

- Option Two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region.
7. ERD invited the Minister of Foreign Affairs and the Minister of Immigration to report to ERD in July 2015 with a new paper seeking agreement to the reallocation of the 150 transferee places and providing further details on the operational implications of the second option [ERD Min (15) 5/2]. As ERD is now not meeting in July and a decision on the 150 UNHCR-referred refugees is pressing, the paper is referred to Cabinet.

**UNHCR Processes on Syrian Resettlement**

8. A UNHCR Core Group on Syria has been established for countries resettling Syrian refugees. New Zealand is a member of this Core Group. The group has considered issues related to resettlement, including refugee status determination and issues that may prevent resettlement such as security concerns and exclusion issues. In addition, the group has reviewed the UNHCR's survey of profiles for the Syrian refugees they have assessed as most in need of resettlement.
9. Immigration New Zealand (INZ) also works closely with our Five Country Conference (FCC) partners (Australia, Canada, United Kingdom, and the United States) on best practices relating to Syrian refugees and their resettlement, including exchanging views on the UNHCR survey of profiles, and potential security risks and exclusion issues.
10.  s 6(b)(ii)

**Operational Implications for New Zealand for Syrian Resettlement**

11. INZ already has a robust set of operational risk mitigation practices in place with respect to the screening of Quota refugees. All refugee cases submitted for consideration for resettlement in New Zealand under the Refugee Quota undergo the following assessments as part of INZ decision-making process and those that do not pass these checks are declined:
- on and off-shore screening and assessment that focuses on credibility, risk and settlement to ensure that the person is not a security risk or a character of concern to New Zealand and that settlement in New Zealand is the right option for them
  - immigration risk assessment by the INZ Risk Assessment Team (assessed for reputational risk to New Zealand)
  - security check by the SIS
  - FCC biometric checks, and
  - INZ health assessment.

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12. Refugees that would not meet the policy requirements for resettlement include those that have large families which would be difficult to house, and those with families in other countries where it is reasonable to expect them to be reunited in that third country of settlement. Refugees with these characteristics are identified early and are not interviewed. Currently, about 10 per cent of UNHCR referrals to New Zealand do not proceed to interview and a further 8 – 10 per cent is declined following an interview.
13. Since 2014, New Zealand has pledged a total of 100 places for Syrian refugees, using the Cabinet-agreed large-scale refugee crisis situation places. Eighty-three Syrian refugees have been resettled in New Zealand under the Refugee Quota in 2014/15 and the remaining 17 will be resettled in 2015/16. While it is too early in the resettlement process to assess outcomes of these refugees,  
s 6(b)(i)
14. Decisions on the 100 places for Syrians under Option Two are required as soon as possible to provide sufficient time to put in place the operational arrangements for their selection and resettlement during 2015/16. A selection mission would need to be completed by September 2015 and selection decisions made by November 2015. The group of Syrian refugees selected would then arrive in three tranches from January 2016.

**Reallocation Decision for this Year's Quota**

15. The two options canvassed in the original ERD paper were:
  - Option One: reallocate all 150 places to the Asia-Pacific region OR
  - Option Two: reallocate 100 places to resettle Syrian refugees from the Syrian crisis and reallocate the remaining 50 places to the Asia-Pacific region.
16. Option One would:
  - be consistent with Cabinet's reallocation decision for 2014/15, and
  - demonstrate commitment to sharing regional responsibility, in line with our efforts to counter people-smuggling through regional initiatives such as the Bali process, by enhanced settlement from the Asia-Pacific region – around two-thirds of the Refugee Quota would be allocated to refugees from the Asia-Pacific region.
17. Option Two would:
  - demonstrate New Zealand's humanitarian response to the Syrian crisis which has been described by the United Nations Security Council (UNSC) as the largest humanitarian emergency crisis in the world today
  - provide support for Syria's neighbouring countries experiencing a large influx of Syrian refugees (the UNSC reports that over 3.9 million Syrians have sought refuge in neighbouring countries which is further threatening the stability of the region)
  - respond to the UNSC and UNHCR's calls on Member States for increased Syrian refugee resettlement efforts at a level that is operationally manageable during the 2015/16 year, and
  - continue to demonstrate New Zealand's commitment to regional initiatives through an extra 50 places for refugees resettled from the Asia-Pacific region.

## In Confidence

### ***Following the ERD meeting of 23 June 2015, Option Two is supported***

18. Option Two is supported. Resettling Syrian refugees in 2015/16 would demonstrate New Zealand's humanitarian response to this extremely serious ongoing crisis. At the same time, since 50 places would be reallocated to the Asia-Pacific region, it is a measured response that would demonstrate continued strong support for regional initiatives in the Asia-Pacific region.

### **Consultation**

19. The Ministries of Education, Health, Justice and Social Development, the Office of Ethnic Communities and the Treasury have been consulted in the development of this paper. The Department of the Prime Minister and the Cabinet has been informed.

### **Financial Implications**

20. There are no financial implications requiring adjustments to Crown baselines as the 150 places are within the current Refugee Quota.

### **Human Rights Implications**

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

### **Legislative and Regulatory Implications**

22. There are no legislative implications arising from this proposal. A regulatory impact statement is not required.

### **Publicity**

23. No publicity is planned. The UNHCR will be advised of Cabinet's decision.

### **Recommendations**

24. The Minister of Immigration and the Minister of Foreign Affairs recommend that Cabinet:
  1. **note** that following its consideration of the paper *Reallocation of the 150 Refugee Quota places for 2015/16*, [ERD (15) 1], ERD:
    - a) noted that in June 2013, Cabinet agreed that, if the 150 transferee places were not required for resettling transferees from Australia, the places would be reallocated to refugees referred by the United Nations High Commissioner for Refugees, subject to Cabinet's consideration of regional allocations [CAB Min (13) 20/15];
    - b) noted the contents of the submission under ERD (15) 13, including that two reallocation options were considered;
    - c) invited the Minister of Foreign Affairs and the Minister of Immigration to report to ERD in July 2015 with a new paper seeking agreement to the reallocation of the 150 transferee places which includes details on the operational implications of the second option;
  2. **note** that the United Nations Security Council has urged all Member States to assist in addressing the Syrian crisis, including by increasing resettlement efforts;
  3. **note** that there are stringent security and assessment arrangements in place for selecting all refugees and for Syrian refugees in particular;

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4. [Redacted] s 6(b)(i)

5 **note** that for operational arrangements to be put in place to resettle 100 Syrians from the Syrian crisis during 2015/16, decisions on the 150 places are now pressing; and

6 **agree** to reallocate 100 places out of the 150 transferee places to Syrians from the Syrian crisis and the remaining 50 places to refugees resettled from the Asia-Pacific region.

Hon Michael Woodhouse  
**Minister of Immigration**

\_\_\_\_\_

Hon Murray McCully  
**Minister of Foreign Affairs**

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