



9 June 2016

Saska Hayes

fyi-request-3982-9c826bc9@requests.fyi.org.nz

Dear Ms Hayes

Thank you for your email of 9 May requesting, under the Official Information Act 1982, the following information:

I would like to request documents that stipulate how the original number of 800 refugees was decided and justified. This may be part of the documents relating to the Immigration policy review 1986.

Your request was transferred from the Ministry of Foreign Affairs and Trade to the Ministry of Business, Innovation and Employment on Tuesday 17 May 2016.

Please find attached the following information in response to your request:

- The Minute of a meeting of the Committee (Social Equity) held on 17 March 1987
- The Refugee Entry section of the *Review of Immigration Policy* (August 1986) Hon Kerry Burke, Minister of Immigration

Unfortunately, despite reasonable efforts to locate it, the Cabinet paper on the Refugee Programme SE (87) 20, is unable to be located. Accordingly, to the extent that the request covers this document, it is refused (see below). The Minute for the meeting at which the paper was considered has been provided. I regret that a better copy is not available. The copy we have provided is the highest available resolution.


Under Section 18 (e) of the Official Information Act (1982) part of a request can be refused if the document requested is unable to be found, despite reasonable efforts. This document is therefore withheld on the following grounds:

...that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

I trust you find the information helpful. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsman
PO Box 10-52
WELLINGTON 6143

Yours sincerely

A handwritten signature in black ink, appearing to read "Christine Hyndman". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

CABINET

SOCIAL EQUITY COMMITTEE

SE (87) 20

Copy No. 28

This paper is the property of the New Zealand Government. As it includes material for Cabinet or Cabinet Committee purposes it must be handled with particular care, and in accordance with any security classification or other endorsement assigned to it. The information in it may be released only by persons having proper authority to do so, and strictly in terms of that authority.

MINUTES of a meeting of the Committee held on 17 March 1987 11 am

PRESENT: Hon C R Marshall (Chairman)
Rt Hon D R Lange
Hon R W Prebble
Hon K T Wetere
Hon Ann Hercus
Hon Margaret Shields
Hon P Tapsell
Hon P B Goff

ALSO PRESENT: Hon S J Rodger
Rt Hon F M Colman

IN ATTENDANCE Officials from: Education; Immigration; State Services Commission; Treasury; Prime Minister's Department

REFUGEE PROGRAMME

SE (87) 20

The Committee:

- a noted the significant contribution New Zealand has made over the years to assisting with the international refugee problem and the benefits this country has gained from resettlement of such people;
- b agreed that continued acceptance of refugees and their resettlement in New Zealand is a social policy commitment with substantial community support which warrants explicit financial provision being made in appropriate Departmental Votes for which cost recovery will not be sought;
- c endorse an annual intake of up to 800 subject to community sponsorship being available within which the Minister of Immigration may approve specific national quotas in consultation with the Minister of Foreign Affairs and ICCI or other agencies as appropriate;
- d agreed that the Mangere Centre should be maintained primarily to provide initial orientation assistance to refugees with
 - 1 appropriate transfers of funding and staff within Vote : Labour and

Carol Ratnam
(Carol Ratnam)
Secretary

COPIES TO:

- Cabinet Social Equity Committee
- Minister of Foreign Affairs
- Secretary of Foreign Affairs
- Minister of Immigration
- Secretary of Labour
- Chairman, State Services Commission
- Director-General of Health
- Director-General of Education
- Director-General of Social Welfare
- Secretary for Internal Affairs
- Secretary to the Treasury



REVIEW

OF

IMMIGRATION POLICY

AUGUST 1986

Hon. Kerry Burke
Minister of Immigration

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3.5 Refugee Entry

3.5.1 The admission of refugees for resettlement has been an important element in immigration to New Zealand for many years. In the last 40 years New Zealand has received over 15,000 refugees and displaced persons from many different countries. Over half this number have been accepted since 1975. Refugees have come from Western Europe, Albania, Bulgaria, Hungary, Czechoslovakia, Poland, Romania, the Soviet Union, Yugoslavia, Chile, Afghanistan, Iran, Uganda, Indonesia and the Indo-Chinese countries of Viet Nam, Kampuchea and Laos. There have also been groups of religious refugees from various countries such as Jewish people from the Soviet Union, White Russian 'old believers' from China, Armenian and Assyrian Christians from the Middle East and members of the Baha'i faith.

3.5.2 New Zealand's geographical situation is such that it does not have to cope, as do many other countries, with large, unplanned movements of people seeking refugee status. The great majority of refugees admitted to this country arrive as part of an agreed programme worked out in consultation with the United Nations High Commissioner for Refugees (UNHCR) and the countries of first arrival. Their status as 'refugees' has already been established by the UNHCR and in most cases their personal circumstances have been clarified in preliminary immigration processing.

3.5.3 There is, however, a small number of people—on average about 10 or 12 a year—who travel to New Zealand as visitors and who seek asylum and refugee status only after arrival. In these cases it falls

to the New Zealand authorities to determine whether the person meets the criteria for refugee status as set out in the 1951 United Nations Convention and 1967 Protocol on Refugee Status to which New Zealand is a party. Under the Convention definition, a refugee is a person who: "... owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it." The Convention requires that if refugee status is established the person must not be returned forcibly to his or her country of origin.

3.5.4 There is an established procedure for dealing with such cases which involves the lodging of an application with the Ministry of Foreign Affairs, consideration of the claim by an Inter-departmental Committee at which a representative of the UNHCR has observer status and recommendations from that Committee to the Ministers of Foreign Affairs and Immigration.

3.5.5 The Government believes that there is a need to clarify and improve the procedures for the determination of refugee status and in particular to provide a clear right of appeal. It has decided that the best way to do this is to place these matters on a statutory basis. Appropriate legislation will accordingly be promoted in due course. This will be done separately from the proposed new immigration legislation since determination of refugee status involves the assessment of criteria that are very different from those examined in the course of normal immigration applications, and there are formal international legal obligations involved.

3.5.6 Refugees, in the broader sense of displaced people, number around 10 million globally. Not all of these people necessarily want permanent resettlement in a third country but many do. New Zealand has traditionally responded in two ways. On the one hand, financial and other support has been given to refugee programmes of United Nations and related agencies, and on the other hand, settlement opportunities have been provided in this country. Since 1970 New Zealand has contributed a total of NZ\$1.24 million in regular annual contributions to support the Office of the United Nations High Commissioner for Refugees and over NZ\$4.7 million for relief and assistance in special refugee situations in Africa, Asia and elsewhere. Within the constraints on the total volume of New Zealand aid available, the Government will continue such support for refugee programmes.

3.5.7 The more significant contribution by this country has been our acceptance of refugees for settlement in New Zealand. Over the last five years our annual intake has averaged around 800 and that figure has been determined by an assessment of our capacity to settle people satisfactorily. That capacity is affected by the background of the refugees to be settled, the economic, social and employment resources available to assist them in adapting to the New Zealand way of life.

and, above all, the ability of the New Zealand community to provide sponsors to assist with accommodation and other immediate and long-term needs of the new arrivals.

3.5.8 Given that the number of refugees for whom resettlement opportunities are sought is likely always to exceed New Zealand's capacity to make places available, some priorities have to be established in setting refugee intake quotas in consultation with the UNHCR. Humanitarian concerns, the needs of the refugees and the situation in the country of asylum must clearly be prime factors in setting priorities but foreign policy and political considerations cannot be excluded. The closeness of ties—or their absence—with the country from which the refugees come or with the country in which they have temporary asylum is a proper consideration for the Government to weigh, not least because this may affect the readiness of the New Zealand community to respond with sympathy and assistance.

3.5.9 The settlement of refugees in New Zealand has traditionally been a partnership between Government and the community. Since 1975 the Inter-Church Commission on Immigration and Refugee Resettlement (ICCR) has been the major co-ordinator of sponsorship for refugees and has received a grant from Government each year towards the cost of maintaining its secretariat in Wellington and its field officers in Auckland and Wellington. Of the refugees who have come to New Zealand in the last ten years over 90 percent have been sponsored by Christian churches working through the ICCR. Other organisations involved in sponsorship of particular refugee groups include the New Zealand Jewish and Bahai communities.

3.5.10 That partnership with the community is something which the Government values highly and considers to be an essential element in New Zealand's response to refugee situations and the resettlement of people in New Zealand. It is something which can be supported and encouraged by Government but it cannot be created by executive action. Its basis and effective operation must rest in the genuine compassion and humanitarian concern felt in New Zealand society. Accordingly the continued settlement of refugees in New Zealand and the numbers admitted will depend heavily on there being groups and individuals willing to undertake the duties of sponsors or otherwise to offer assistance.

3.5.11 The taxpayer's financial involvement in refugee programmes extends far beyond the grants which Government will continue—to the ICCR and international agencies mentioned earlier. In the 1985-86 financial year, for instance, some NZ\$3.2 million was allocated from various departmental votes to meet costs associated with the transport, initial accommodation, medical examinations, immediate welfare needs and English language and orientation instruction of the year's intake of 720 refugees from Indo-China. Additional expenditure was involved in the provision to refugees of resettlement and training services financed by the Department of Labour.

3.5.12 Such expenditure across a range of programmes is a necessary

this appropriate.

3.7 Issues for Further Consideration

3.7.1 Mention has been made in earlier sections of various aspects of permanent migration which require further study and consideration and possibly modification in the light of experience as policy changes already announced are put into effect. These aspects include:

- the assessment of overseas qualifications and skills obtained in countries whose education systems and institutions are at present unfamiliar to New Zealand employers and examining bodies;
- the promotion of legislation covering the determination of status for people applying for refugee status after arrival in New Zealand;
- the identification of the special needs of refugees and other new settler groups, consideration of how best these needs can be responded to by central and local authorities and possible organisational structures to enhance communication amongst and with migrant groups (see also Chapter 6).

3.7.2 Outside these fairly specific matters there are larger and more complex issues relating to immigration which require research and further consideration. Is it possible, for instance, to assess in a measurable way and to be able to predict more accurately the impact of immigration in different sectors of the New Zealand economy in various circumstances? The capacity to do so and to identify the various effects would seem to be necessary in considering such questions as how closely labour market vacancies and occupational entry should be linked. Substantial work in this area is needed both to acquire and analyse the relevant data. As a first step the Department of Labour is this year funding research by the Institute of Policy Studies, using computer modelling facilities at Victoria University of Wellington, on the impact of immigration on the New Zealand economy. That research will be aimed at evaluating in the light of available statistical information the economic consequences over the next fifteen years of various 'scenarios' ranging from sustained net emigration to sustained net immigration. Attention will be paid to the speed of assimilation of immigrants in relation to income, home ownership, location and public sector expenditure implications in welfare, health, education and housing, and to labour market effects and standard of living.

3.7.3 It is also important to promote public discussion of even wider population issues. As the 1985 Report of the Population Monitoring Group noted, immigration is merely one major demographic element among a number. Because immigration of non-citizens is the only population process which can be altered rapidly and directly by Government intervention, and because there is a government agency specifically charged with responsibilities in this area, there is a risk that immigration may be seen, wrongly, as the key determinant of population composition and dynamics. Informed public discussion needs to start with recognition that immigration policy does not of itself constitute a population policy for New Zealand. Migration flows

part of the successful settlement of refugees in New Zealand. Refugees are accepted for humanitarian reasons rather than on grounds of having skills and an employment background relevant to New Zealand's labour needs, and ability to speak English. Combined with their personal circumstances and in some cases their medical or other handicaps, this means that they have a series of special needs. It is necessary to look to the provision of services such as interpretation, access to language, orientation and job training and retaining courses; psychological counselling to cope with the stress of making major adjustments in life styles; and a framework within which guidance and advice can be sought from people with their own ethnic background on making the adaptation to life in New Zealand. The Government recognises that not all these services are as available or accessible as should be the case and within constraints on its expenditure it will seek ways to improve the situation through enhanced co-operation between Government agencies and with other organisations.

3.5.13 The Government's practice in financial assistance with refugee fares has varied over the years according to the circumstances of particular groups. No element of discrimination on grounds of ethnic origin is involved. The Government will continue to determine the degree to which it assists with refugee travel costs according to the circumstances of the people concerned, their geographical location and funding available from international or other agencies.

3.5.14 Over the years people who have come to New Zealand as refugees have made a significant contribution to the development of New Zealand culture and society. Refugees today are continuing this tradition and the Government is keen to see that they, and those who come in future, are enabled to make the most positive contribution they can to New Zealand society and to their personal development. This will require continued attention from the Government to the special needs of refugees as well as to broader issues of immigrant adaptation, continued commitment from the wider New Zealand community and a better understanding of the processes of refugee settlement. In this latter regard increased interest is apparent in the study of and research into refugee issues and this is welcomed by the Government as contributing to better informed decision making.

3.6 Entry on Humanitarian or Other Special Grounds

3.6.1 Cases sometimes arise where people with some family connection with New Zealand wish to come to this country but fall outside the usual criteria for occupational, family reunification or refugee entry. In these rare situations, and where the applicants' circumstances are significantly worse than those of others in their community, entry may be approved on humanitarian grounds. Provision also exists for consideration to be given to people who have distinguished themselves in the arts or sciences or public or cultural life overseas, or have been actively involved in promoting or protecting New Zealand's interests overseas. The Government considers it desirable to continue this flexibility for the Minister of Immigration to exercise discretion in special circumstances where the likely benefit to New Zealand makes

are but one thread in the complex web of demographic, economic and social forces and policy proposals, should be assessed against this wider background.