

Mr Yadegary has stated that he would display his faith publicly and his family have already shown that they are hostile to his conversion.

In considering the broader grounds for the exercise of Ministerial discretion on this case, you may wish to note that in recent US appellate decisions concerning Christian converts from Iran the key test applied was not the refugee claimant's personal state of mind, but whether there was plausible reason for the Iranian authorities to perceive that the claimant is an apostate likely to maintain an active faith other than Islam.

On this point it is worth noting that Mr Yadegary has attracted some publicity on the topic of his conversion and of flight to New Zealand to find freedom. He was shown on TV3 in 1998, and has been featured in an industry magazine in 1999, showing his work as a chef and noting his conversion to Christianity, turning his back on a Muslim upbringing. He also features in three articles in the NZ Herald, one of which stated he 'escaped political persecution'. This publicity in NZ increases the likelihood of his case being known to the Iranian authorities.

Mr Yadegary is well known to the Auckland church community (especially Catholic); and has received strong support for his appeal for residency. New Zealand enjoys considerable religious and political freedom. Its diverse ethnic and religious communities generally share positive and harmonious relations. There is a strong public interest in maintaining this situation. There is a risk that deporting Mr Yadegary to Iran to face significant risk of persecution could excite division between the Christian and Moslem communities within New Zealand.

Based on interviews with Mr Yadegary and several of his neighbours, Mr Yadegary presents as well known and liked in the local community and appears to be of good character. He is working in a small successful business in my electorate.

Thank you for your consideration in this matter.

Yours sincerely

Hon David Cunliffe
MP for New Lynn

Hon David Cunliffe — MP for New Lynn

P O Box 15 1111 New Lynn
Ph: 09 827 3062 Fax: 09 8273721
Email new.lynn@cunliffe.org.nz