

# Immigration Policy

## Vision

**A progressive immigration system that is humane, fair, practical, sustainable, and sensitive to the requirements and concerns of all migrants as well as tangata whenua and tangata Tiriti.**

## Values and Principles

- *Honour Te Tiriti o Waitangi*: The right for non-Māori to live in Aotearoa New Zealand derives from Te Tiriti o Waitangi. Māori, as tangata whenua, should have a partnership role in determining Aotearoa New Zealand's immigration and population policies.
- *Ecological Wisdom*: Immigration policy should consider sustainable population levels. The effects of overall population growth need to be actively managed and planned for. These effects depend on our environmental footprint per capita and particularly on those people with the largest environmental footprint.
- *Social Responsibility*: All immigration applicants, migrants, asylum seekers and refugees, should be treated with dignity, compassion and respect in accordance with international conventions on human rights.
- *Appropriate Decision-Making*: Immigration processes should be open, accountable and responsive. Local communities should be involved in policy decision-making and implementation.
- *Non-Violence*: All migrants and refugees should be welcomed and included in Aotearoa New Zealand society, such that they feel a sense of belonging. Tolerance, acceptance and understanding is important in a diverse and multicultural society.
- *Responsibility*: Aotearoa New Zealand should act as a responsible member of the international community. Aotearoa New Zealand is a Pacific nation with a Pacific history and its immigration policies and practices should reflect that.
- *Distributed benefits*: The positive contributions that migrants make to the social, cultural and economic life of Aotearoa New Zealand should be shared across all regions, not just in the main centres.

## Summary

For those that would like to come to live in Aotearoa New Zealand, the Green Party will ensure that the process of selecting immigrants is fair, reasonable and flexible, and that immigrants are treated with dignity and respect, including for example through family reunification and fair employment conditions. The Green Party believes that Aotearoa New Zealand should remain firm in our commitment and humanitarian responsibilities towards international refugees and asylum seekers.

## Strategic Priorities

The Green Party's strategic goals include:

*"As a Party we strive to create a more connected, compassionate and equal Aotearoa, free from structural biases that discriminate against groups and individuals.*

*"Comprehensive support for communities and individuals affected (...) by the impacts of climate change within New Zealand and the Pacific will be well established."*

Actions in this policy that will help achieve this include:

- Actively support Māori aspirations for a Tiriti-based immigration system (...). (1.1)
- Advocate for a Pacific Passport to allow for free movement between the islands and Aotearoa. (2.1)
- Progressively increase our refugee quota and the resources required to provide adequate refugee services. (3.1)
- Ensure that immigration legislation makes specific provision for people displaced by climate change, based on need. (4.1)
- Ensure that immigration policies are impartial in regard to applicants' countries of origin, ethnicities, cultures, age, gender, sexual orientation, and all other prohibited grounds of discrimination. (5.1)
- Require employers to pay temporary workers no less than local workers, and to provide them with the same working conditions as local workers. (6.6)

## Connected Policies

This policy is closely connected to the [Global Affairs](#), [Human Rights](#), [Climate Change](#), [Tertiary Education](#), [Tagata Moana](#) and [Disability](#) Policies.

## Policy Positions

### 1. Immigration and Te Tiriti o Waitangi

#### *Issues*

The presence of non-Māori peoples in Aotearoa New Zealand is a result of Te Tiriti o Waitangi but immigration systems do not reflect this.

#### *Actions*

- 1.1. Actively support Māori aspirations for a Tiriti-based immigration system, including by devolving resources to whānau, hapū, and iwi to strengthen traditional whanaungatanga connections with Pasifika communities.
- 1.2. Make learning about Te Tiriti o Waitangi compulsory as part of the induction of all new immigrants.
  - 1.2.1. Ensure that hapū and iwi have the opportunity for input into Te Tiriti induction for new immigrants, and are adequately resourced by Government to do this.
  - 1.2.2. Ensure that Te Tiriti induction is delivered at appropriate times to maximise understanding, rather than just immediately upon arrival.

## **2. Aotearoa New Zealand in the Pacific Region**

### *Issues*

Aotearoa New Zealand's policies and practices must now begin to address the injustices perpetuated in its inequitable relationships with other Pacific nations.

### *Actions*

- 2.1. Advocate for a Pacific Passport to allow for free movement between the islands and Aotearoa New Zealand.
- 2.2. Repeal the Citizenship Western Sāmoan Act of 1982.

## **3. Assisting Refugees and Asylum Seekers**

### *Issues*

Aotearoa New Zealand takes its humanitarian responsibilities to assist refugees and people seeking asylum seriously. Many refugee families have been separated due to social destabilisation caused by civil wars or by oppressive regimes. Hence, many refugees arrive without spouses, children, parents, or other close relatives. Some people arrive without the required documents or visas. Current practice and funding in regard to asylum-seekers is inadequate.

### *Actions*

- 3.1. Progressively increase our refugee quota and the resources required to provide adequate refugee services.
- 3.2. Ensure that all refugees and asylum seekers are treated humanely, with detention only used in exceptional cases, where a genuine security risk can be identified.
- 3.3. Abide by the provisions of the 1951 Refugee Convention and related international agreements.
- 3.4. Remove the ability for Ministers of Government to overturn a decision regarding refugees by a judicial body, for example, with the Security Risk Certificate procedure.
- 3.5. Ensure that the Immigration and Protection Tribunal has sufficient resources to:
  - 3.5.1. Improve its capacity to deal with all refugee cases, so that refugees are not turned away unnecessarily and without just and reasonable cause; and
  - 3.5.2. Enable refugees to have greater access to natural justice and rights of appeal.
- 3.6. Resource the Office of the Human Rights Commissioner to carry out its functions in relation to refugees.
- 3.7. Support local councils to implement cross-cultural education, interaction and understanding across Aotearoa New Zealand.

## **B. Refugee Resettlement Services**

- 3.8. Provide specialised services for refugees, such as the Refugees as Survivors Clinics across Aotearoa New Zealand, and fund the expansion of Refugee and Migrant Services' Refugee Resettlement to more urban centres.
- 3.9. Continue the priority consideration for housing given to refugees by Kāinga Ora.

- 3.10. Ensure crucial social services are accessible to all refugees across the country.
- 3.11. Encourage collaboration between interested tangata whenua and refugee resettlement programmes to assist with resettlement.
- 3.12. Increase funding for community centres, Refugee and Migrant Centres, and ethnic and multicultural associations throughout Aotearoa New Zealand to cater for the needs of refugee communities.

### **C. Refugees and Family Reunification**

- 3.13. Change the system for refugee family reunification from a lottery to one that is compassionate, fair, transparent, and certain, with clearly published priorities and standards of acceptance.
- 3.14. Expand the powers of the Immigration and Protection Tribunal to include consideration of family reunification cases.

### **D. Asylum Seekers**

- 3.15. Protect the right for asylum seekers to claim asylum in Aotearoa New Zealand.
- 3.16. Require that asylum seekers be treated with fairness, dignity and compassion, and that their eligibility be decided on a case-by-case basis according to international law.
- 3.17. Commit to comprehensive resettlement support for asylum seekers, the same as that provided to refugees brought in under the refugee quota. Support should begin when the asylum seekers make their initial claim.
- 3.18. Set a target of three months for clearance of the adjudication of cases of those claiming refugee status.
- 3.19. Make the process for dealing with asylum-seekers more transparent.
- 3.20. Ensure that no asylum seekers are returned to a country where they may face torture or risks to their life, consistent with our obligations under the Refugee Convention and the Convention Against Torture.
- 3.21. To the greatest extent possible, ensure the safety and security of asylum seeker's families that remain abroad when researching/considering claims.
- 3.22. Ensure safety and security for asylum seekers and their families in Aotearoa New Zealand during their hearings.

## **4. Immigration Due to Climate Change**

### *Issue*

Increasingly people are being forced to leave their country of origin due to the impacts of climate change. Pacific island nations are particularly vulnerable to sea-level rise.

### *Actions*

- 4.1. Ensure that immigration legislation makes specific provision for people displaced by climate change, based on need.
- 4.2. Actively support Pacific states' leadership on legal protection for the rights of people displaced by climate change (see our Climate Change Policy).

## 5. Positive Immigration Experiences

### *Issues*

Immigrants can struggle with culture shock and, especially people of colour, can be made to feel unwelcome in their new communities. Language can be a major barrier to participation for people who do not speak English fluently.

### *Actions*

- 5.1. Ensure that immigration policies are impartial in regard to applicants' countries of origin, ethnicities, cultures, age, gender, sexual orientation, and all other prohibited grounds of discrimination.
- 5.2. Create a broad Amnesty Programme for people who overstay.
- 5.3. Increase the resources the Government makes available for migrants' successful resettlement.
- 5.4. Ensure migrants are provided with assistance to obtain adequate housing and health services.
- 5.5. Direct resources into providing all new immigrants of all categories with an orientation programme, including information about Aotearoa New Zealand civics, culture and environment.
- 5.6. Work towards a culture of acceptance in Aotearoa New Zealand so that new immigrants are able to participate in all aspects of society.
- 5.7. Support immigrants with disabilities to participate in society to the fullest extent possible, for example by ensuring access to information, services, education and employment (see our [Disability](#) Policy).

### **A. Language Tuition for Immigrants**

- 5.8. Offer adult English for Speakers of Other Languages (ESOL) courses that are within the financial reach of adult migrants and accessible outside main city centres.
- 5.9. Fund the Volunteer ESOL Home Tutor scheme sufficiently to attract and train volunteers for those in need of tutoring.
- 5.10. Provide adequate state assistance for all forms of Te Reo and ESOL tuition for migrants.
- 5.11. Make all Aotearoa New Zealand's official languages – including Te Reo Maori and New Zealand Sign Language – available to immigrants.
- 5.12. Adequately resource translation services across Aotearoa New Zealand and online to ensure that lack of language skills does not prevent migrants from accessing public services.
- 5.13. Ensure that the Aotearoa New Zealand education system is equipped to cater for the education needs of new migrants such that they:
  - 5.13.1. Benefit to the fullest extent possible from the education system;
  - 5.13.2. Are valued contributors to society; and
  - 5.13.3. Develop adequate English language skills that will enhance their employment and social opportunities.

## **B. Immigration New Zealand (INZ) Administration**

- 5.14. Ensure that INZ is adequately funded and administered to achieve a transparent, consistent and expeditious application process.
- 5.15. Initiate a negotiation with tangata whenua to determine how Māori want to work with the Crown on immigration decisions and reviews as a Te Tiriti based process.
- 5.16. Ensure that each application is processed in accordance with the relevant rules, policies and admissions targets or quotas in effect when that application was submitted.
- 5.17. Require applications from people with disabilities to be assessed on the evidence of what they can contribute in skills, rather than on a perception of the cost to health services that they may or may not access.
- 5.18. Ensure INZ refunds fees and levies to anyone who had an expression of interest in any pool that is no longer available.
- 5.19. Require INZ to publish time-frames for each type of application and to allow applicants to request an update if these timeframes are exceeded.
- 5.20. Ensure that migrant and refugee applicants do not have crucial information relating to their claim withheld from them on the basis that it is deemed to be "classified".
- 5.21. Oppose granting immigration officers increased search and detention powers in the absence of evidence that restrictions imposed on their current powers unduly affect their ability to perform their role.

## **C. Immigration Consultancy Industry**

- 5.22. Ensure all licensed advisers are regulated under Aotearoa New Zealand law, such as requiring them to be Australian or New Zealand citizens.
- 5.23. Extend regulation of the immigration advice industry so that all those providing advice - including education advice - fall within the regulatory framework regardless of their location.
- 5.24. Require and resource the Immigration Advisers Authority to regulate and monitor overseas based immigration advisers to protect prospective immigrants from fraud and misinformation.

## **D. General Family Reunification**

- 5.25. Ensure overseas partners of New Zealanders are issued with provisional residency status so that the overseas partners can have the advantages of Aotearoa New Zealand residency while INZ is processing their application.
- 5.26. Make it easier for parents and immediate family members (including children) of migrants to apply for residency in Aotearoa New Zealand, including relaxing health assessments to enable disabled people to be reunited with family.
- 5.27. Ensure investigations into relationships for a foreign national partner of a New Zealand citizen or resident are non-intrusive and culturally sensitive.

## 6. Migrant Workers and Investors

### *Issues*

The process of selecting migrants is not always fair, reasonable and flexible. Aotearoa New Zealand often experiences skill shortages in the regulated professions, but migrant professionals can face considerable difficulty gaining registration. Migrants often find themselves victims of subtle forms of job discrimination, and many refugees have problems finding suitable employment.

Migrants face challenges when separated from their families in their countries of origin. Trans-national marriages, civil unions, and de-facto partnership relationships require systems to facilitate family stability, whilst preventing victimisation through fraud and exploitation.

### *Actions*

- 6.1. Support initiatives and policies that aim to increase the number of registered skilled migrants, including:
  - 6.1.1. Provide funding and incentives to professional bodies to develop pathways to registration for skilled migrants, such as work-place supervision/probation for those with internationally recognised qualifications.
  - 6.1.2. Increasing the availability of bridging courses for skilled migrants in any regulated profession on the long-term skill shortage list.
  - 6.1.3. Providing student loans for skilled migrants undertaking bridging courses for entry to any regulated profession on the long-term skill shortage list.
  - 6.1.4. Providing a visa pathway for workplace supervision/probation of those with internationally recognised qualifications as a route to registration and residence.
  - 6.1.5. Providing pre-employment and ongoing on-the-job language skills support for migrants in regulated professions.
  - 6.1.6. Bonding migrants for five years and requiring repayment of student loans where financial support has been provided to gain registration.
- 6.2. Closely monitor the labour market impact of skilled migrant workers, and ensure effective policy responses to any identified concerns.
- 6.3. Give priority to skills needed to build a low-carbon economy that lifts living standards.
- 6.4. Create fair, prompt and transparent short-stay visa application processes.
- 6.5. Grant temporary migrant workers full labour rights, including the right to switch employers to seek more equitable wages or better working conditions.
- 6.6. Require employers to pay temporary workers no less than local workers, and to provide them with the same working conditions as local workers.
- 6.7. Require and resource INZ to frequently monitor worksites, including fishing vessels, where migrants holding temporary work permits are employed.
- 6.8. Create opportunities for temporary workers who possess skills required for the needs of local communities and in various industries to apply for residency status in Aotearoa New Zealand.
- 6.9. Ensure that international students are well supported (see also our [Tertiary Education Policy](#)).



- 6.10. Inform all migrants who are eligible to work in Aotearoa New Zealand of their employment rights, their employer's obligations, and basic support services that are available to them if they have an employment-related issue or dispute.
- 6.11. Fund specialist employment services to find appropriate work for refugees and immigrants living in Aotearoa New Zealand.
- 6.12. Raise awareness amongst employers about the benefits of employing migrants and refugees living in Aotearoa New Zealand.
- 6.13. Put employment guidelines in place to ensure that job applicants who are migrants or refugees are not discriminated against.
- 6.14. Ensure that relevant Government agencies are sufficiently resourced and empowered to investigate cases of employers abusing or exploiting immigrant workers.
- 6.15. Tighten up the process around the investor visa category and ensure better oversight of business development promises from visa candidates. We will do this by:
  - 6.15.1. Using a three-year provisional visa for investor migrants;
  - 6.15.2. Prioritising investment into productive areas of the economy in line with the transition to a regenerative economy (see our [Economic](#) Policy);
  - 6.15.3. Deprioritising investment into commercial property and property development;
  - 6.15.4. Undertaking annual audits of investor businesses via extended case management, paid for by the business being audited; and
  - 6.15.5. Ensuring that the audits include checks for viability, sustainability, and desirability, and human rights compliance, and are undertaken by immigration officials and other specialists as necessary.

## **7. Immigration Policy Review**

### *Issues*

It is important to ensure that immigration policy is regularly reviewed and fit-for-purpose.

### *Actions*

- 7.1. Take an evidence-based approach to regularly reviewing the Government's immigration policy, and its implementation, to ensure it is meeting the needs of immigrants, tangata whenua, and communities and giving consideration to sustainable population levels.
- 7.2. Actively manage and plan for the effects of immigration policy on overall population levels and therefore on the environment, the economy and infrastructure.
- 7.3. Conduct ongoing research into sustainable population levels for Aotearoa New Zealand and how this would vary with, for example, changing ecological footprints and the projected impacts of climate change, to support the above review, alongside other evidence, such as Mātauranga Māori.
- 7.4. Raise awareness about the means by which a growing population can be made sustainable. This could include ways to reduce Aotearoa New Zealand's per capita and combined ecological footprint.