

Immigration Policy

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Introduction

Humans have always been, to some extent, a migratory species. Trans-national migration is a fact of human life. We have little influence on the reasons for migration, be they for freedom, opportunity, or wealth, or to escape oppression, poverty, or other limitations. Aotearoa/New Zealand is an attractive migration destination for many more people than our nation has the ability and willingness to absorb. The Green Party believes that it is our duty to design an immigration system in which these hopes and aspirations must operate. Our immigration policy is based on our principles of non-violence, ecological wisdom, appropriate decision-making, and social responsibility.

Definitions

Cultural ecology includes education, ethics and culture, as well as values of national heritage at the level of the individual, the corporation and the state.

People displaced by climate change: Those who are forced to leave their country of origin by circumstances arising out of the effects of climate change.

Quota refugees: At present Aotearoa/New Zealand accepts a quota of 1000 refugees selected as 'at risk' by the United Nations High Commission for Refugees (UNHCR). Quota refugees arrive with permanent resident status and receive free medical screening, a brief orientation programme, a modest relocation grant, the opportunity for special English language tuition, and help from the non- governmental Refugee & Migrant Service (RMS), which is partially funded by government.

Refugee: International law (Article 1, The 1951 Convention Relating to the Status of Refugees) defines a "refugee" as 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 to, or, owing to such fear, is unwilling to avail himself of the protection of that country...". Essentially, a refugee is a person who is forced to flee her country of origin by virtue of being a victim of social injustice.

Refugee family reunification: The granting of permission to immigrate to close family members of refugees. Migrants in this category are not eligible for the special assistance granted to quota refugees. Immigration New Zealand currently allows 300 people in this category to enter the country per year.

Social ecology is the fabric of societal structures; including democracy, peace, human rights, employment, social integration, security and safety.

Tangata Tiriti: Generic term to describe people whose rights to live in Aotearoa/New Zealand derive from Te Tiriti/Treaty of Waitangi and the arrangements that the Crown has established under a common rule of law, and the equity provisions of Article 3 of Te Tiriti/Treaty.

Voluntary migrants: Immigrants who choose to relocate to Aotearoa New Zealand under the skilled migrant, investor, entrepreneur, employee of relocating business,

family reunion, and transnational marriage, civil union, or de facto domestic partnership categories. Not eligible for targeted assistance. Informal Arrivals: People who arrive in Aotearoa New Zealand without appropriate documentation or visas.

Vision

The Green Party envisions an Aotearoa/ New Zealand, which offers an immigration system that:

- Is humane, practical, sustainable, and sensitive to the requirements and concerns of both tangata whenua and tangata Tiriti who are born in New Zealand, as well as refugees and voluntary migrants.
- Addresses social and cultural ecology.
- Provides immigrants support to integrate into New Zealand society.
- Encourages Aotearoa New Zealand to act as a responsible member of the international community.
- Provides open, accountable and responsive immigration processes.

Key Principles

Green immigration policy will:

1. Treat all immigrants with dignity, compassion, and respect in accordance with international conventions on human rights
2. Pay heed to the effects of immigration on our environmental, social and cultural ecology by maintaining a sustainable net immigration flow.
3. Reinforce sustainability measures and values in local communities.
4. Ensure that new immigrants are welcomed and included in New Zealand society, such that they feel a sense of belonging.
5. Actively involve local communities in policy decision-making.
6. Ensure that Māori, as tangata whenua, have a partnership role in determining Aotearoa/New Zealand's immigration policy
7. Recognise the importance of tolerance, acceptance and understanding in a diverse and multicultural society.

Specific Policy Points

1. Human Rights and Refugees

While recognising our limitations, it is our responsibility, based on our principle of social justice, to do what we can to accept as refugees our share of those that are denied social justice in their countries of origin. As a member of the international community, the Green Party believes that New Zealand should remain firm in our commitment towards international refugees. We should make it a priority to increase our refugee quota as a matter of great urgency if we are to address international humanitarian concerns, whilst ensuring that the sustainability of environmental, social and cultural ecology in New Zealand is preserved. Most refugees arrive with next to nothing, require assistance to get going in a strange environment for which they have been ill prepared, and may need special help in dealing with experiences of war and torture. If, as some expect, the world's population will be stabilising in 20 or 30 years, the overall pressure for voluntary migration will likely reduce. However, as long as there is still suffering and persecution in the world, there will remain refugees. The

Green Party is committed to ameliorating this suffering and persecution by accepting refugees.

In order to meet our humanitarian obligations, the Green Party will:

1. Increase our refugee quota, with this increase being gradual and the size of our total intake keyed to the provision of resources to provide adequate services for them.
2. Support an increase in the resources government makes available for refugees' successful resettlement.
3. Ensure that the Immigration and Protection tribunal (IPT) has sufficient funding to:
 - a. improve its capacity to deal with all refugee cases, so that refugees are not turned away unnecessarily and without just and reasonable cause; and
 - b. enable refugees to have greater access to natural justice and rights of appeal.
4. Increase funding of the Office of the Human Rights Commissioner.
5. Encourage local councils to fund Ethnic Forums to engender cross-cultural education, interaction and understanding.

2. Refugees and Family Reunification

The current visa application process for the reunification of refugee families is unfair and inhumane. Many refugee families have been scattered due to social destabilisation caused by civil wars or by oppressive regimes. Hence, many refugees arrive in Aotearoa without spouses, children, parents, or other close relatives/ Often they are concerned about their extended family who may be still in refugee camps and save their money from small incomes over years to pay their loved ones' fares here. At the moment Immigration New Zealand (INZ) has limited the number of family reunification visas it issues to 300 per year, and has established a lottery system to see which applications it will approve. Refugees must pay \$70 to file applications, and then have to wait for a lottery system to determine if they will be reunified with their family. If they fail in the ballot they must pay another \$50 the following year to try again.

The Green Party will:

1. 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
2. Advocate for the powers of the IPT to be expanded to allow for the consideration of family reunification cases.

3. Refugee Resettlement Services

Refugees require assistance upon arrival in Aotearoa New Zealand, but the assistance they do receive is 'bare-bones'. Quota refugees receive a six-week orientation at the Mangere Refugee Resettlement Camp, where they are given medical screening and tuition.

New Zealand grants quota refugees permanent resident status prior to their arrival here, and provides legal identification documents to those whose documents have been destroyed. This entitles them to any benefits that would be available to other New Zealanders, such as the dole, access to the health service, and free schooling for their children in state schools. Auckland and Wellington have specialised clinics, called Refugees As Survivors (RAS), for those suffering continuing psychological problems from having experienced torture or the effects of being collateral damage in war.

Quota refugees are given priority placement in state housing by Housing NZ. Each household is paid a small resettlement grant for buying a refrigerator and other necessary household equipment. Work and Income funds the TOPS (Training Opportunities Programme) and ESOL (English for Speakers of Other Languages) for qualified working-age refugees.

Any other assistance is provided by the under-resourced private sector. Two non-governmental organisations receive some support with small state contracts. The Refugee & Migrant Service (RMS) trains and supports volunteers to help refugees adapt to New Zealand life and culture. The ESOL Home Tutor Scheme trains and supports volunteers to tutor home-bound refugees in practical every-day English. Refugee resettlement is concentrated in Auckland where the capacity of Auckland's housing, education, and health infrastructures to cope with the refugees' needs have been strained.

The Green Party will:

1. Fund the RMS sufficiently to enable it to do its work to the highest standard possible, including supporting refugees for a period of more than 6 months to enable them to find work, and hiring more paid staff to fulfil this obligation.
2. Continue the priority consideration for housing given to refugees by Housing NZN.
3. Increase the one-off resettlement grant administered for refugees by Work And Income, which has been unchanged since 1992, to reflect today's higher cost of living.
4. Provide specialised services for refugees, such as the RAS clinics, outside Auckland and Wellington, and fund the expansion of RMS to more centres.
5. Provide adequate resourcing to the RAS so it can support refugees, outside Mangere.
6. Connect interested marae with RMS training facilities so that refugees can be assisted by these marae with their resettlement.
7. Increase funding of community centres throughout New Zealand to cater for the needs of various cultural communities.
8. Consider the possibilities of relocating refugees as early as possible to other communities outside Auckland where the needs of these refugees may be better served.
9. Ensure the involvement of local Ethnic Council in each region in aiding the resettlement of refugees.
10. Ensure that host communities have suitable orientation and education programmes for refugees and that communities are educated about the arrival of refugees before and whilst refugees are settled. (Rationale: NZ needs to be more proactive in reducing the racism that refugees face, especially when they are settled in State housing areas, that also have high needs. Police need to be trained to deal with refugees and to work more cross-culturally.)

4. Immigration due to climate change

Increasingly people are being forced to leave their country of origin due to the impacts of climate change. The Green Party will:

1. Ensure our immigration legislation makes provision for people displaced by climate change based on need.
2. Accept its share of people from around the world with special regard to Pacific Island countries (see our [Population Policy](#)).
3. Provide funding support for climate change mitigation and adaptation in developing countries (see our [Climate Change Policy](#)).

5. Selecting Voluntary Migrants

People from other countries who desire to live in Aotearoa/ New Zealand do so for many reasons. Our reputation for having a clean, pleasant environment, a relatively prosperous economic system, and democratic, liberal institutions makes our country an attractive migration destination for those disposed to migrate from their current homelands.

Because of this, an open immigration policy would be unmanageable, and it is the Government's duty to ensure that voluntary immigration is managed in the national interest. Although 'national interest' can mean different things to different people, the definition that has informed our national immigration policy for many years is that we should accept people who will bring skills, capital, or other desirable attributes with them.

In order to ensure that the process of selecting voluntary migrants is fair, reasonable, flexible, and in the national interest, and to improve the process of adjustment and acculturation of voluntary migrants, the Green Party will:

1. Require that all voluntary migrants commit to undergoing an orientation programme, including education about Te Tiriti o Waitangi, as a condition of being granted permanent residency or citizenship status.
2. Give priority in the skilled migrant category to skills needed for a sustainable society and economy, such as scientists, engineers and other trades with specialised skills applicable to fields including — but not limited to — organic farming, biodegradable materials, recycling, and renewable energy and fuels.
3. Require strict scrutiny of applications in the investor category for sincerity and benefit to quality of life in Aotearoa/NZ — people shouldn't be able just to buy their way into Aotearoa.
4. Tighten up on scams in which overseas millionaires buy up NZ property by making business-development promises that they don't keep. We will do this by
 - a. Using a three-year provisional visa for investor migrants.
 - b. Undertaking annual audits of investor migrants' businesses via extended case management, paid for by the business being audited.
 - c. Ensuring that the audits include checks for viability, sustainability, and desirability and are undertaken by immigration officials, an accountant, and a marketing consultant. These audits, prepared independently, together with a police report and any complaints, will form the basis of the decision.
5. Ensure that our policies in regard to voluntary migration are impartial in regard to the applicants' countries of origin, ethnicities, cultures, age, gender, sexual orientation, and all other prohibited grounds of discrimination set out in Section 21 of the Human Rights Act 1993.
6. Implement major changes in immigration policy only after encouraging public input.
7. Only make decisions to use immigration as an instrument of economic policy clearly and openly by an Act of Parliament.
8. Ensure that the Government undertakes meaningful consultation with tangata whenua, according to Te Tiriti o Waitangi, prior to setting government policy on immigration.

6. General Family Reunification

The Green Party recognises that immigrants face challenges when separated from their families in their countries of origin. The reunification of families is thus a priority of immigration policy. Trans-national marriages, civil unions, and de-facto partnership

relationships require systems to facilitate family stability, whilst preventing victimisation through fraud and exploitation. In order to facilitate family reunification, the Green Party will:

1. Exempt marriage, civil union, and de facto partnership reunification from all quotas.
2. Issue overseas partners of New Zealanders with 3 year provisional residency status so that the overseas partners can have the advantages of NZ residency while the INZ investigates their bona fide's.
3. Make it easier for parents and immediate family members of new migrants to apply for residency in New Zealand subject to the standard health and character checks and assessments.

7. Temporary Migrants

The category of temporary migrants includes people with student visas, those with temporary work permits, and Deep Sea Fishing Crew Employment Register (DFCER) migrants. Temporary work permits need to balance the seasonal needs for rural employment with social justice considerations.

Temporary workers should be paid fair wages by New Zealand standards and have the benefit of New Zealand's social and health services. They should have all the employment relationship protection provided by the Employment Relationships Act and other relevant legislation.

The Green Party will:

1. Require employers to pay temporary migrant workers no less than what local workers or fishing crews are paid, and to provide them with the same working conditions as those enjoyed by local workers or fishing crews
2. Require the INZ to frequently monitor worksites where migrants holding temporary work permits are employed
3. Encourage the issuance of work permits to backpacker-style tourists, especially those from countries that offer similar permits to travelling New Zealanders
4. 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 New Zealand, subject to the overall quota limits.

8. Informal immigrants

Some immigrants arrive without the required documents or visas. These include ship jumpers, overstayers, and asylum seekers. Current legislation and practice in regard to asylum-seekers is inadequate, as exemplified by the Ahmed Zaoui case (AHMED ZAOUI V ATTORNEY-GENERAL And Ors CA CA166/04 17 September 2004).

The Green Party will:

1. Require that informal immigrants be treated with dignity and compassion, and that their cases be decided with this in mind on a case-by-case basis according to international law.
2. Require that secret 'intelligence' reports from overseas regimes be considered under legal rules of evidence.
3. Set a target of three months for clearance of the adjudication of cases of those claiming refugee status.
4. Make the process dealing with asylum-seekers more transparent.
5. Oppose the deportation of migrants and refugees on the basis of "diplomatic assurances" from other governments. Our obligations under the Refugee Convention and the Convention on Torture require us not to return people to situations where they risk persecution.

9. English Tuition for Immigrants

At present ESOL tuition is available for immigrant children and young people in schools, although some schools, particularly in Auckland, are having their resources stretched. (See our [Education](#) policy) ESOL tuition for adult immigrants outside the state secondary schools is currently under-funded and, at times, haphazard.

The Green Party will:

1. Make adult ESOL courses within the financial reach of adult refugees available outside Auckland and the other main centres.
2. Fund the Volunteer ESOL Home Tutor scheme sufficiently to attract and train a sufficient number of volunteers for those in need of tutoring.
3. Fund the TOPS scheme sufficiently to provide tuition for all eligible refugees.
4. Provide adequate state assistance for all forms of ESOL tuition for immigrants.
5. Require immigrants in the investor and entrepreneur categories with little or no English to enrol in full-fee courses in order to retain resident status (Provisional resident status would be an appropriate tool for enforcing this. Alternatively, immigrants in the investor and entrepreneur categories with little or no English could be required to post an English language bond, refundable upon scoring a sufficient score on the IELTS language test).
6. Ensure that lack of language skills does not prevent immigrants from accessing public services.
7. Ensure that the New Zealand education system is equipped to cater for the education needs of new migrants such that they:
 - a. benefit to the fullest extent possible from the education system.
 - b. are valued as economic and cultural contributors to society.
 - c. develop adequate English language skills that will enhance their employment opportunities.

10. Tiriti Education and introduction to local mana whenua

Aotearoa/New Zealand's history and Te Tiriti o Waitangi are unique. Te Tiriti is still central to many government policies and procedures. Immigrants should be encouraged to become active social and political citizens rather than just passive consumers, so we should encourage an understanding of our nation's history and political foundations.

The Green Party will:

1. Make learning about Te Tiriti o Waitangi compulsory as part of the induction of all new immigrants.
2. Make Territorial Local Authorities responsible for the presentation and Central Government responsible for the resourcing of Te Tiriti induction for new immigrants.
3. Ensure that Iwi/Hapu have the opportunity for input into Te Tiriti induction for new migrants, and are adequately resourced by Central Government to do this.
4. Ensure that Te Tiriti induction is delivered at appropriate times to maximise understanding, rather than just immediately upon arrival.

11. New Zealand Life

Government policy has tended to take an economic view of immigrants and does not provide an adequate orientation to life in New Zealand. The Green Party will:

1. Direct resources into providing all new immigrants of all categories with information about New Zealand culture, in particular those practises which may be common in other cultures but are considered offensive, unacceptable, or

illegal here. (This tuition would be provided free to refugees, but on a fee basis to business migrants. Skilled migrants would have fees for this service assessed on an ability-to-pay basis).

2. Require all new voluntary migrants granted provisional residency status to be able to demonstrate an awareness of key aspects of New Zealand's laws and social norms before they may receive permanent residency status.
3. Provide for all new immigrants to receive a copy of the NZ Bill of Rights Act, coupled with an accompanying summary of the Act.
4. Identify what migrant needs and requirements are to help determine what services will be provided, and by whom.
5. Work towards a culture of acceptance in New Zealand so that new migrants are able to participate in all aspects of society.

12. Employment

Immigrants often find themselves victims of subtle forms of job discrimination, and many refugees have problems in finding suitable employment. Currently the main initiative in this regard is the TOPS English-language programme, which is work-oriented.

The Green Party will:

1. Fund specialist employment services for refugees and immigrants dedicated to finding work appropriate to their highly special situations. (This could be done either through Work And Income or through NGOs).
2. Educate employers about the benefits of employing migrants and refugees.
3. Put employment guidelines in place to ensure that job applicants who are migrants or refugees are not discriminated against on the basis of race, ethnicity, colour, and other prohibited grounds of discrimination as set out in the Human Rights Act 1993.

13. Adaptation Support for Immigrant Professionals

Many highly skilled and qualified medical practitioners and other professionals have considerable difficulty getting registered in New Zealand. Rigorous qualification is essential in many professional fields, but New Zealand would benefit if professional bodies supported immigrant professionals to reach the necessary language and professional standards to practice their professions in New Zealand. This is especially relevant where there have been skill shortages identified in particular industries. Also, given the growth of ethnic communities in New Zealand, the skills and experiences these professionals possess will be immensely beneficial — both to ethnic communities and to the wider population. Bridging courses, such as the one in English for Medical Professionals offered one semester per year at AUT, have been difficult for immigrant professionals to gain access to.

The Green Party will:

1. Provide professional bodies with incentives and funding support to help immigrants reach the standards needed to practise their professions.
2. Ensure greater availability of bridging courses for immigrants in professions for which Aotearoa/NZ has need, and of student loans for those seeking professional registration here.
3. Encourage the use of practical supervision of those with internationally recognised qualifications as an available route to registration in place of one-off pencil-and-paper tests.
4. Provide pre-employment and ongoing on-the-job language skills support for migrants.

14. Immigration Consultancy Industry

The immigration consultancy industry does not adequately serve the needs of intending migrants. Many activities practised by this industry have been unethical. The Green Party will:

1. Impose more vigorous regulation on the immigration consultancy industry.
2. Ensure that unethical practices receive the appropriate punishment.

15. Immigration New Zealand Administration

Immigration New Zealand (INZ) sometimes fails to show clarity in its operations and can appear to be undemocratic by making decisions that do not have a clear and consistent basis.

The Green Party will:

1. Ensure that INZ is adequately funded and administered to ensure transparency, more certainty, and the expeditious processing of applications.
2. Ensure that each application for NZ residency is processed according to the rules, policies, and admissions targets or quotas in effect when that application was submitted (No ex post facto enforcement of rules or policies should apply).
3. Require the INZ to supply applicants for NZ residency with timely and accurate information about the progress of their applications (INZ would be held accountable for supplying misleading or inaccurate information, and be required to give priority consideration to the applications of those who receive misleading or inaccurate information).
4. Take steps to bring certainty and consistency to INZ behaviour and to raise the competence of the administration of immigration law, inconsistency being oppressive in law and regulation.
5. Ensure that migrant and refugee applicants do not have crucial information relating to their claim withheld from them and their lawyers on the basis that it is deemed to be "classified". [It is noted that in the Immigration Bill now before Parliament "classified information" can come from any government department overseas, not just intelligence agencies].
6. Oppose the introduction of special advocates, who would be prohibited from communicating with the migrants or refugees concerned after seeing the classified information. We don't wish validate a process which enables classified information, or even a summary of it, to be hidden from the applicants.
7. Require that the INZ engage in proper consultation with tangata whenua according to Te Tiriti o Waitangi.
8. Oppose granting Immigration officers increased search and detention powers because there is no evidence that their work to date has been unduly affected by restrictions imposed on their current powers.

16. Yearly Immigration Quotas

Clearly decisions in regard to how many immigrants to accept should properly be based on how many people we want to be living in Aotearoa New Zealand. The first principle of the Green Party calls for us to recognise the limitations of our natural environment, and that "unlimited material growth is impossible. Ecological sustainability is paramount."

The Green Party will:

1. Ensure that the setting of immigration levels would be reviewed on a regular basis and be based on:
 - a. net population change;

- b. the need to have spare environmental, social and cultural ecological capacity to accommodate potential returning New Zealanders and people displaced by climate change (see our [Population Policy](#));
 - c. an assessment of the capacity of systems in place (INZ, refugee-assistance agencies) to cope with immigration fairly and effectively;
 - d. the ability to decentralise our economic system to encourage settlement outside urban areas under infrastructure and population capacity stress;
 - e. an assessment of the ability of our environment to cope with population increases, taking into account changes in energy use and other behavioural and infrastructural factors; and
 - f. New Zealand's humanitarian obligations with regard to refugees (see section 1 above).
2. Arrange participation in deciding immigration policy at a regional and local level by implementing a public consultation process conducted by the INZ and regional councils or unitary authorities, and iwi and/or hapū in setting annual targets.
 3. Establish ongoing community participation in generating an evolving immigration policy, reflecting impacts on communities, not just the nation as a whole. A nationally focused target (of any figure) calculated independent of a community or regional context, is inconsistent with appropriate decision making, social responsibility, and ecological wisdom.

17. Impact on Taonga

The Taonga of our people, and sites of historical, cultural, environmental, recreational, and general emotional significance for resident New Zealanders, should be protected from adverse impact as a result of immigration, and should not be seen as up for sale to wealthy newcomers.

The Green Party will:

1. Take all reasonable steps to prevent immigration numbers, and the sale of land to rich immigrants, from having an adverse impact on Taonga.
2. Require immigrants to undergo a course of familiarisation in the cultural sensitivities and environmental concerns of this country as part of the provisional resident status process.