

Manaakitanga in the age of COVID

Précis

Thousands of short-term migrants are trapped in New Zealand due to COVID-19. A series of ad hoc extensions to their visas have allowed them to stay. The Government should apply principles of manaakitanga – hospitality, kindness, generosity, support – and issue these people with a one-off right to remain in New Zealand till the end of 2024. Clearing the backlog of permanent residence visas for people already in New Zealand should also be a priority.

The problem

On 20 March 2020, New Zealand closed its borders in response to COVID-19.

So far, this approach has proved successful in limiting health and economic consequences from the virus – but with relatively low testing and vaccination rates and more contagious and virulent variants continuing to evolve and circulate, we are far from out of the woods.

Success, of course, comes with costs. Citizens and permanent residents have struggled to return home; employers accustomed to ready access to migrant labour have had to adjust to fewer available staff. People who were here on temporary visas when our borders closed have faced ongoing uncertainty and disruption to their lives. It is this final issue that we address here.

Neither here nor there

When the four-level COVID-19 Alert system was announced on 21 March 2020, about 220,000 people were in New Zealand on short term work visas, and another 82,000 were on study visas. About 240,000 of these people have remained here.

New Zealand's policy of eliminating COVID-19, which is a very different approach to the suppression policies in place in the rest of the world, has made the country a relatively attractive place to stay. But for many people, a combination of limitations on the number of flights out of New Zealand and their high cost; restrictions on transit through usual way-points, like Singapore and Dubai; and restrictions on entry into migrants' home countries has made leaving difficult. Even if returning home is possible, it may not be safe to do so if hospitals there are overrun.

COVID-19 border restrictions do not technically stop anyone from leaving the country. This is consistent with the New Zealand Bill of Rights Act.

Some countries arranged repatriation flights to facilitate the return of their citizens, just as the New Zealand Government helped its own citizens come home.

Rather than force migrants whose visas would otherwise expire to leave, the New Zealand Government has granted some of them permission to stay. These grants have, however, been short term: a six-month extension was announced in July 2020 and then rolled over in December 2020, February 2021 and most recently in June 2021.

On 10 August 2020, the Government suspended the ability for most people outside New Zealand to make a temporary visa application. This suspension remains in force.

Separately, a COVID-19 Short-term Visitor Visa was introduced for people unable to leave New Zealand due to the pandemic. This visa lasts for 2 months, but it is extendable and allows holders to study but not work.

These extensions, however, have included provisions – deliberately one assumes – that reduce their seeming compassion. One particularly egregious provision concerns family reunions. The families of people allowed to enter under border exemptions can subsequently come here. But a person already in New Zealand granted permission to stay cannot bring their family with them, even if they were willing to pay for and could book a slot in a Managed Isolation and Quarantine (MIQ) facility.

People in New Zealand on temporary visas can apply for permanent residence. The prospect of permanent residency has been offered to many people coming to New Zealand on a temporary visa. Sometimes this was a false promise. In response to COVID-19, the Government initially suspended permanent residence grants for applicants living overseas to allow Immigration New Zealand to concentrate on people currently in New Zealand. This has created extreme concern amongst migrant communities and has resulted in protests.

Doing the right thing

We think that the Government has not found a sensible solution yet to meet the needs of migrants lawfully in New Zealand when the most severe public health crisis in over a century hit.

A compassionate approach consistent with the principles of manaakitanga (showing reciprocal respect, generosity, and care for others) should be applied.

It is not too late to do the right thing.

Baby steps

At the very least, everyone who was in New Zealand lawfully on the day the borders were closed should, subject to health and police checks, be granted an extension of their visas till 31 December 2024, with the same work and other rights as applied on the day of issue. We see no downside to this approach: it simply acknowledges that COVID-19 is a long-term event.

Confident adult strides

An even more compassionate approach would be to issue these people with a new type of visa, again until the end of 2024, giving them full work rights, access to the health system and maybe even social welfare benefits. This is more than an extension of existing rights, but with labour markets proving very tight, it is hard to argue that these people will not be able to get jobs and contribute to New Zealand. When restrictions were initially set, the Government may reasonably have feared far worse unemployment outcomes. It is difficult to argue that extending work rights to those currently in New Zealand would be at the expense of Kiwi workers.

The residency backlog

A related and very high-profile issue is granting residence to people in New Zealand on other visas. Before COVID-19, most people granted a permanent residence visa were already lawfully in New Zealand on another visa. Many had been here for a number of years before becoming eligible for permanent residency. The days of settlers who have never been to New Zealand before arriving with a permanent residence visa stamped in their passport by officials at a New Zealand Embassy are long gone.



The programme of granting permanent residence visas to people with skills and experiences that qualify should be restarted, and the backlog should be cleared as soon as possible. Again, these people are already in New Zealand lawfully and meet all the requirements for a grant of residency. As is usual for people granted permanent residency, they would be allowed to bring any family living offshore here, subject to MIQ procedures.

Meeting our humanitarian obligations

COVID-19 has also had an impact on the number of refugees accepted for resettlement in New Zealand. Although our annual refugee quota was extended to 1500 in July 2020, the Government only settled 242 refugees in the year ended June 2021 because of the impact of the pandemic, border closure, and demand for spaces in MIQ.

New Zealand's humanitarian efforts are far too low, given our relative prosperity.

COVID-19 is no excuse for not increasing these numbers. Indeed, the dramatic reduction in inwards migration means that our national 'absorptive capacity' has increased. If MIQ exemptions can be made for yachting and movie crews, it is hard to see why space cannot be found for people who are literally in fear of their lives.

We note that current trials of refugee sponsorship arrangements could even enable sponsors of refugees to cover any MIQ costs. We would urge that the Government take expert advice on allowing MIQ capacity to increase while maintaining safety to allow more travel, including entry by refugees.

Manaakitanga in the age of COVID-19

Hospitality, kindness, generosity, support – in a word, manaakitanga – is what New Zealanders are known for. Now is the time to apply those principles and do the right thing for people who have been stuck in New Zealand due to COVID-19.

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