



COVERSHEET

Minister	Hon Michael Wood	Portfolio	Immigration
Title of Cabinet paper	Resettling Afghan evacuees – settlement support, COVID-19 and considering options to extend our response	Date to be published	26 August 2022

List of documents that have been proactively released		
Date	Title	Author
October 2021	Resettling Afghan evacuees – settlement support, COVID-19 and considering options to extend our response	Office of the Minister of Immigration
8 November 2021	Resettling Afghan evacuees – settlement support, COVID-19 and considering options to extend our response CAB-21-MIN-0454.01 Minute	Cabinet Office

Information redacted

YES

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reasons of international relations, privacy of natural persons and confidential advice to government.

In Confidence

Office of the Minister of Immigration
Office of the Minister for Foreign Affairs

Chair, Cabinet Business (CBC) Committee

Resettling Afghan evacuees: settlement support, COVID-19, and considering options to extend our response

Proposal

- 1 This paper seeks Cabinet agreement to the ongoing New Zealand Government response to the situation in Afghanistan. We propose that Cabinet agree to:
 - 1.1 amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to include a Ministerial class waiver power for groups of people included in the Afghanistan resettlement response;
 - 1.2 immediately fund a package of services to provide the comprehensive and necessary wrap-around support to Afghan evacuees, in addition to setting a cap up to which joint Ministers could approve additional funding for costs under the Foreign Affairs and Immigration portfolios;
 - 1.3 make Afghan evacuees eligible for Special Needs Re-establishment Grants under the Social Security Act 2018, including being granted permanent residence under the Afghan Emergency Resettlement Resident Visa Category;
 - 1.4 remove the three-year residence stand-down period for student loans, student allowances and Fees Free payments for Afghan evacuees granted the Afghan Emergency Resettlement resident Visa;
 - 1.5 allocate 200 places per annum (rising to 300 per annum) specifically to Afghan refugees in setting the next three-year Refugee Quota Programme; and
 - 1.6 EITHER confirm the existing commitment to resettle approximately 1,291 people from Afghanistan and increase spaces specifically for Afghans in the refugee programme is a significant and appropriate response and further extensions should not be considered at this time;

OR, agree to establish a further small capped offer to family of New Zealanders or human and gender rights activists, or expand places available under the Community Organisation Refugee Sponsorship Programme.
- 2 This paper also provides an update on progress assisting New Zealand citizens, permanent residents and their families, and eligible Afghan nationals to travel to New Zealand; and the resettlement of eligible Afghan nationals in New Zealand.

Executive Summary

- 3 The political and security situation in Afghanistan remains extremely volatile following the departure of international forces.
- 4 New Zealand's response is comprehensive, extensive, resource intensive, internationally credible, and comparable to our like-minded nations (effectively doubling our current annual refugee quota). Our response has included:
 - 4.1 an emergency visa process for Afghan nationals at risk of harm due to their support for New Zealand activities, and individual decisions on a range of at

- risk individuals;
- 4.2 a multi-agency evacuation operation for New Zealanders and eligible Afghan nationals;
 - 4.3 prioritisation of these travellers into MIQ by providing spaces from the operating contingency and wrap-around support while in MIQ;
 - 4.4 provision of resettlement assistance to eligible Afghan nationals arriving in New Zealand; and
 - 4.5 ongoing, intensive case management support to New Zealanders and eligible Afghan nationals who remain in the region and wish to travel to New Zealand.
- 5 The number of individuals in Afghanistan (both New Zealanders and eligible Afghan nationals holding New Zealand visas) seeking New Zealand Government support to travel to and (in the case of visa holders) resettle in New Zealand, is high. There are considerable monetary and resourcing costs, in providing this assistance. As a result of these initiatives, at 19 October:
- 5.1 449 Afghan evacuees have arrived in New Zealand, 195 of which are New Zealand citizens, permanent residents and their immediate families; and
 - 5.2 an estimated 1,129 Afghan nationals remain abroad but are eligible to settle in New Zealand¹, approximately 157² of which are New Zealand citizens, permanent residents and their families.
- 6 The table below shows the breakdown of visas granted and arrivals.

Table 1: Visas granted and arrivals as at 19 October

	Type	People approved	Arrived in New Zealand	Remaining offshore
	Supported New Zealand agencies	856	64	792
	AMOI Decisions*	105	11	94
	Other Critical purpose visas (mainly close family of NZers)	330	222	108
	Pending applications (all types)			29
	Subtotal	1,291	297	1023
	All other temporary visas		36	N/A
	NZ citizens		56	
	NZ permanent resident visas	N/A	23	106*
	NZ resident visas		37	N/A
Total		1,291	449	1129

* Includes immediate family who have not yet applied for critical purpose visitor visas.

- 7 1,291 visas have been granted in response to the August crisis (including 856 under Cabinet's 16 August criteria and 105 at the discretion of the Associate Minister of Immigration). This commitment to 1,291 Afghan nationals (not including New Zealand citizens or permanent residents) is significant for New Zealand. It nearly equals our

¹ Numbers remain subject to some uncertainty, as further eligible people contact New Zealand agencies, or pending visa applications are decided.

² MFAT are in contact with 157 New Zealand citizens, permanent resident and their immediate family members in or near to Afghanistan.

106*

nominal Refugee Quota (1,500 per annum) and exceeds the reduced Quota we are operating under COVID-19 border constraints. It is also credible compared to our M5 partners and surpasses humanitarian immigration responses to previous crises.³

8 Unfortunately, not all those we approved for resettlement were able to be evacuated. As at 19 October, approximately 1,129 remain in Afghanistan. The situation there is dynamic and it remains uncertain when, if, or in what volumes this group may be able to travel to New Zealand.

9 To support the successful resettlement of existing evacuees and those who are still in Afghanistan, we seek:

9.1 agreement to pursue exemptions for those we are supporting to return home or resettle in New Zealand to travel vaccination-free and from high COVID-19 risk countries (like Pakistan);

9.2 to introduce a Ministerial class waiver power for MIQ fees for groups of people included in the Afghanistan resettlement response;

9.3 additional funding of \$16.729 million, sought immediately, for a package of services to provide comprehensive wrap-around support to Afghan evacuees, including temporary accommodation and support once permanently settled in the community;

9.4 authorisation for relevant appropriation Minister(s) and the Minister of Finance jointly to agree to additional funding of up to \$19.584 million for the Immigration portfolio and up to \$2.200 million for the Foreign Affairs portfolio if required depending on the number and flow of evacuees who ultimately arrive in New Zealand; and

9.5 approval to ensure Afghan evacuees are eligible for Special Needs Re-establishment Grants under the Social Security Act 2018 including upon being granted permanent residency under the Afghan Emergency Resettlement Resident Visa Category.

10 Careful consideration needs to be given to any extension of New Zealand's response to other groups because of:

10.1 the pressure our current response puts on services and resources (especially social, community and affordable housing) given its significant size; and

10.2 the need to offer comprehensive and effective support to anyone resettling in New Zealand.

11 In addition to the Afghan evacuees (who are not refugees), New Zealand expects to receive 750 - 1000 refugees this financial year through our refugee quota programme. This combined amount greatly exceeds our regular annual refugee quota of 1,500.

12 In the context of the above, we seek agreement to allocate 200 places per annum (rising to 300 per annum) in our Refugee Quota Programme specifically to Afghan refugees over the next three years (from July 2022). This would be a minimum. Additional Afghan refugees could continue to be referred to New Zealand based on priority protection needs from across the globe including the Asia/Pacific region (which includes Pakistan, Iran and neighbouring countries). This region accounts for 50 percent of our current refugee intake. Refugees referred through the UNHCR process are more likely to have been outside Afghanistan for several years, rather than people who have fled since 15 August 2021. The UNHCR will not refer people still in Afghanistan.

³ This included 131 people resettled from the Tampa, 750 extra Refugee Quota places for the Syrian crisis, and the approximately 140 Afghan Interpreters granted residence

- 13 This commitment reflects ongoing discussions with the UNHCR who support some priority on Afghan refugees, but who also recognise the importance of New Zealand's programme in supporting other priority refugees. The Minister of Immigration will report back to Cabinet on the overall composition of the Quota including any changes to the regional allocations and sub-categories. For example, places for women at risk could be increased or partially focused on Afghan refugees.
- 14 We consider our existing commitment to resettle 1,291 Afghan nationals (who are not New Zealand citizens, permanent residents, or their families) and the allocation of specific Afghan places in our Refugee Quota Programme is both appropriate, and reflective of what we can sustainably commit to at this time given settlement constraints such as sustainable housing options. Officials have advised that securing appropriate permanent accommodation is challenging, given increasing demand for housing is impacting many vulnerable New Zealanders, and do not recommend activating further resettlement groups at this time.
- 15 There are many groups still at risk in Afghanistan, some with connections to New Zealand, and local communities are looking for certainty now about what resettlement offers will be provided to family members or other Afghans at risk. Therefore we are seeking a decision from Cabinet on whether to:
- 15.1 Confirm that the substantial undertaking to resettle 1,291 Afghan nationals and the commitment to at least 200 places per annum for Afghan nationals is appropriate and all that our settlement capacity can absorb, so no further resettlement offers will be made; OR
- 15.2 Agree that in addition to the groups listed in the preceding sub-paragraph, to establish a further small capped category for high priority groups to be resettled.
- 16 If we want to activate a further group we recommend it is a small group of 50-100 to manage impacts on housing and other settlement supports. This may necessitate a ballot approach where demand is likely to significantly exceed available places.
- 17 Mechanisms will need to be carefully considered to manage both expectations and numbers, ensure identity can be established, and make difficult judgements about relative needs.
- 18 If Cabinet wants to offer more resettle places, we seek agreement on whether to focus on **one** of the following priority groups:
- 18.1 Afghans with existing family residence applications lodged (such as under the refugee family support category); or
- 18.2 Extended Family of Afghan Interpreters resettled in New Zealand who may be at risk of being targeted in Afghanistan; or
- 18.3 Gender and human rights advocates and others at risk still in Afghanistan who are referred to New Zealand by recognised international bodies; or
- 18.4 Refugees supported through the Community Organisation Refugee Sponsorship Category.⁴
- 19 We will direct officials to work up detailed proposals to reflect any Cabinet decision to extend the resettlement offer. This can include where accommodation is clearly available to support slightly higher numbers.

⁴ People sponsored under CORS must be outside the country of origin and recognised as refugees.

Part 1: The situation in Afghanistan, New Zealand's response to date, and the current challenges faced by New Zealand's response

The situation in Afghanistan is dangerous and uncertain

- 20 The political, humanitarian and security situation in Afghanistan remains extremely volatile and is likely to deteriorate further.
- 20.1 Foreign aid has evaporated and economic collapse could be imminent
 - 20.2 The human rights situation is grave with Taliban officials ordering targeted killings
 - 20.3 There are insurgent attacks on civilians
 - 20.4 Taliban actions suggest a return to strict sharia law
 - 20.5 The humanitarian situation in Afghanistan is exacerbated by parallel crises including drought (causing acute food shortages), internal displacement, COVID-19, and outbreaks of measles, cholera and dengue.

New Zealand's response is comprehensive, extensive and resource intensive

- 21 In response to the rise of the Taliban, the New Zealand Government implemented a comprehensive cross-agency operation to support New Zealanders, their families, and eligible Afghan nationals to return to and (as appropriate) resettle in New Zealand. As part of this operation, 449 evacuees had arrived in New Zealand (at 19 October).
- 21.1 As at 19 October, officials were working actively with approximately 146 people who were 'on the move' – i.e. people who have started an exit and are part of the way through the journey to a transit country or New Zealand, or are known to have firm plans to make the attempt imminently. Of these, 39 are citizens or permanent residents, the rest are visa holders (including some who are immediate family of citizens).
 - 21.2 Of these, approximately 70 people had successfully arrived in a transit country and were awaiting onward travel to New Zealand, and an additional 35 were expected to cross out of Afghanistan in coming days.
- 22 Following the conclusion of the NZDF deployment, New Zealand established Operation Whakahokinga Mai to assist the approximately 1,129 New Zealanders and eligible Afghan nationals who remain in the region to travel safely to New Zealand. As part of this operation, MFAT established temporary consular deployments to Qatar and Pakistan. The Government has created a 'Special Representative to Afghanistan' position, to ensure there is no diminution of New Zealand's commitment to high-level engagement on Afghanistan. MFAT established a new Afghanistan Taskforce staffed by around 25 people in Wellington and 5 – 6 off shore.
- 23 As part of Operation Whakahokinga Mai, case management teams in Wellington and consular staff in the region are providing advice and help to all New Zealanders, permanent residents and their immediate families, and to all eligible visa holders (some via intermediary advocates), who remain in the region and who have requested assistance when contacted.
- 24 The main direction of effort is to assist these people to exit Afghanistan and travel onward to New Zealand to the greatest extent possible. To provide this help, MFAT and partner agencies are carrying out a complex set of arrangements which includes the following aspects:
- 24.1 An intensive "case management" approach, where an individual case manager has been assigned to every eligible person or group known to the Government as wanting to leave Afghanistan, to maintain ongoing

- communication and advice.
- 24.2 discussions with the Qatari Government to secure passage for those associated with New Zealand on charter flights which Qatar is arranging from Kabul to Doha;
 - 24.3 liaison with the Governments of Pakistan, Iran, and the United Arab Emirates to facilitate passage into these neighbouring countries for New Zealanders and eligible visa holders who are seeking to enter those countries via land borders or by air;
 - 24.4 working with third party advocates who represent and are themselves providing support to some eligible visa holders in Afghanistan, in order to jointly assist exit by those people;
 - 24.5 providing, based on need, financial assistance covering commercial flights to a number of New Zealanders and eligible visa holders to enable onward travel to New Zealand;
 - 24.6 supporting short-term stays in third countries during transit, including financial assistance to cover necessities such as food, accommodation, and transit visa fees, should these be required by eligible individuals;
 - 24.7 practical assistance including arranging COVID tests, flights, transit visas and applications for border health exemptions if required, to enable onward movement to New Zealand; forward planning flows of travellers to New Zealand in order to manage numbers of arrivals against current MIQ capacity, and managing applications for MIQ space on behalf of travellers;
 - 24.8 alongside MBIE and DIA, identifying and operationalising solutions for a large number of undocumented travellers remaining in Afghanistan; and
 - 24.9 liaison with New Zealand agencies to manage incoming-passenger risks.
- 25 There are some constraints on New Zealand's ability to assist people to leave. The security and political situation in Afghanistan means that, like almost all of our partner countries, it is not possible to provide direct evacuation assistance for eligible individuals from within Afghanistan, nor is it possible to protect the safety of people while they are moving internally within Afghanistan to try to leave. Secondly, a large proportion of the eligible people with links to New Zealand who seek assistance do not hold valid travel documents. Solutions are being worked on, but availability of options is case specific and depends partly on factors such as the traveller's nationality, whether they have accessible documents or material that can assist with identification, and what exit route is available.
- 26 A special humanitarian residence category, Afghan Emergency Resettlement Category, was established to enable the Afghan evacuees to apply for New Zealand residence. This will provide certainty and support to visa-holding Afghan evacuees. Once granted residence, individuals and their families are able to access most Crown-funded health, education and social security services in New Zealand.
- 27 This response is in addition to the comprehensive offer of support made to Afghan interpreters in 2012/13 (the end of the New Zealand deployment in Afghanistan), which included resettlement in New Zealand for approximately 140 people. Assistance was broadened in 2013 to include a one year salary payment to all other current locally employed staff based at Kiwibase in Bamyan. An additional \$10,000 lump sum payment was made to some local staff who had supported the New Zealand operation (e.g. mechanics and engineers) [Cab Min (12) 44/28].
- 28 Assistance to eligible Afghan nationals provided through this response to date goes beyond New Zealand's previous humanitarian immigration responses, including the

131 people resettled from the Tampa, and the 750 Syrian refugees accepted through UNHCR over three years, 600 of whom were in addition to the refugee quota.

Table 2: Comparison of New Zealand's immigration responses to humanitarian situations

Humanitarian Situation	Year	Immigration Response	Additional Response
Tampa	2003	131 people	
Afghan interpreters	2012/2013	Approximately 140 people	One year salary payment to other locally engaged staff. \$10,000 lump sum payment to other staff.
Syria	2015 – 2018	750	
Afghanistan evacuation	2021 -	Approximately 1,291 people (who are not New Zealand citizens, permanent residents or their immediate families)	

New Zealand participates in multilateral engagement, in addition to humanitarian and development initiatives

- 29 In addition to evacuation and resettlement support, New Zealand has also joined its partners to make multilateral statements, calling on the Taliban to respect the rights of females, encouraging respect for international humanitarian and human rights law, and calling on the Taliban to allow those who wish to leave Afghanistan to be able to.
- 30 New Zealand contributed \$6 million to the humanitarian response in Afghanistan, with \$1.5 million directed to each of the International Committee of the Red Cross, the UN High Commissioner for Refugees (UNHCR), UNICEF and the UN Population Fund. These agencies provide life-saving assistance and protection services for crisis-affected populations in Afghanistan. Our contribution to UNHCR also supports Afghan refugees and asylum seekers in neighbouring countries. MFAT considers the \$6 million in support as a credible contribution to multilateral humanitarian response efforts at the current time.
- 31 Officials will provide further advice on potential assistance options over the medium term as it becomes clearer which assistance options are required; alongside advice on the implications the provision of additional development assistance may have for New Zealand's ability to respond to other significant international crises.

New Zealand's response is credible compared against comparable countries

- 32 International partners have taken differing approaches to the resettlement of Afghan nationals, with some relying on existing refugee quota processes and others utilising bespoke humanitarian pathways. International relations

[Redacted text block]

International relations

- 33 International relations
- [Redacted text block]



34 International relations

35 International relations

1,129 further people are eligible to travel to New Zealand

Who is included in this group?

36 As at 19 October, an estimated 1,129 people remain in Afghanistan or the immediate region who are New Zealand citizens, residents or have been granted visas as part of the evacuation response and are entitled to support from the New Zealand Government to travel to New Zealand.⁵ This number includes approximately 157 New Zealanders, permanent residents, and their immediate families.

Assisting the group of 1,129 people to travel to New Zealand is a priority but subject to significant uncertainty

37 A key priority is supporting this group to return to New Zealand. However, the flow of evacuees is highly uncertain given the complex and rapidly changing situation in Afghanistan and at the borders. Many of these evacuees also do not have travel documentation. As the situation in Afghanistan deteriorates, immigration flows are likely to increase.

38 There continue to be significant challenges to the resumption of commercial flights from Afghanistan. However, some charter flights are beginning to operate out of Kabul Airport and, over the past five weeks, partner embassies have facilitated the departure of several hundred citizens and Afghan nationals.⁶ A small number of New Zealand-associated individuals departed Kabul recently on a Qatar Government-facilitated charter flight. If commercial flights resume at short notice, flows of eligible individuals to New Zealand are likely to increase.

39 In addition, verifying identity and undertaking key checks on people impacted by humanitarian crises can be challenging, International relations

New Zealand government agencies are establishing processes to verify identity and undertake security screening for potential arrivals. However, identity verification will remain an ongoing challenge for agencies.

40 The security situation means that travel across Afghanistan is dangerous and the ability to enter neighbouring countries is subject to rapidly changing entry

⁵ In accordance with the 'equal treatment policy' agreed by Ministers with Power to Act on 15 September, which extends to New Zealand citizens, permanent residents and their immediate families; holders of visas granted in accordance with Cabinet criteria of 16 August (due to their association with New Zealand government agencies' operations in Afghanistan); and holders of visas issued at the discretion of the Associate Minister of Immigration between 17-28 August.

⁶ Australia has managed over 200 departures and Canada has facilitated almost 400 with a 'queue' of 600 further persons.

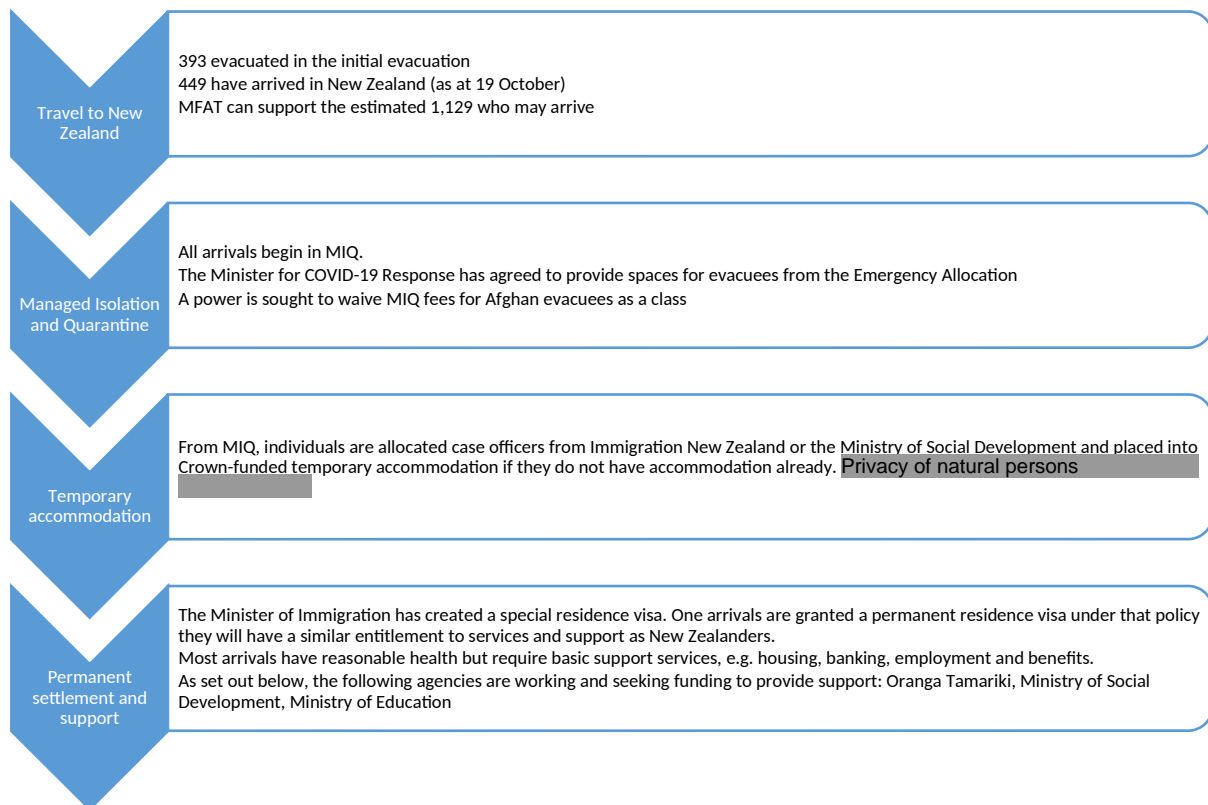
requirements. Given these challenges, the number of people so far who have crossed into neighbouring countries has been low. However, as the situation deteriorates on the ground in Afghanistan, and as word of previous successful attempts spreads, we have seen this number increase quickly.

41 **International relations**

This limits our ability to manage flows onward to New Zealand.

Resettlement process for Afghan evacuees

42 Agencies are coordinating on settlement pathways as shown in the figure below.



43 The remainder of Part 1 of this paper steps through the key decisions Cabinet needs to make to facilitate evacuees through this pathway.

Decisions and additional funding is needed to facilitate travel to New Zealand

Funding for assistance to travel to New Zealand may be needed for those who may come

44 On September 9, MFAT advised that the estimated cost for travel-related assistance for approximately 200 New Zealanders, permanent residents and their families, and approximately 700 eligible Afghan nationals who at that time remained offshore, was approximately \$6.14 million. This cost will be met from within MFAT baselines, shared between consular and international development cooperation appropriations.

45 Since this initial estimate was provided to Ministers with Power to Act, the number of people the New Zealand Government has undertaken to assist to travel to New Zealand has grown by around 365 more visa-holders. Providing travel assistance to these additional eligible visa holders may require additional funding.

46 Therefore, a further \$2.2 million⁷ may be sought to cover the potential travel-related costs of these additional eligible individuals, to be allocated to the International Development Cooperation appropriation. Any travel support provided to eligible visa holders would be needs-based. We propose the Ministers of Finance and Foreign Affairs be given joint authority to approve this funding, should it be needed.

A future review of repatriation assistance is proposed

47 Officials recommend that provision of assistance for the repatriation from Afghanistan to New Zealand, and corresponding resettlement support where appropriate, of New Zealanders, permanent residents and their immediate families; and individuals granted visas in accordance with Cabinet criteria of 16 August (due to their association with New Zealand government agencies' efforts in Afghanistan), or at the discretion of the Associate Minister of Immigration, be reviewed after 6 months of operations, in February 2022.

There are currently restrictions for travellers from "very high risk" countries and for unvaccinated non-citizens entering New Zealand

48 Travel to New Zealand from countries with a "very high risk" COVID-19 designation is currently restricted. Pakistan is one of six countries with this designation.⁸ This prevents Afghan nationals holding New Zealand visas from travelling directly from Pakistan (or any of the others designated countries) to New Zealand.

49 Officials will recommend that the Director-General for Health consider a class exemption to the "very high risk" policy for eligible Afghan nationals. A class exemption would assist New Zealand officials to provide the necessary assurance to transit countries that onward travel is possible. It would also help to ensure that eligible Afghan nationals who reach the land border between Afghanistan and Pakistan are consequently permitted to cross into Pakistan by Pakistani officials.

50 From November 1, all non-citizens travelling to New Zealand will be required to be vaccinated. Cabinet agreed that people travelling to New Zealand as part of our Refugee Quota Programme would be exempted from the requirement [CAB-21-MIN-0403], recognising the humanitarian need to travel and that refugees are unlikely to have had access to the COVID-19 vaccine. The Reconnecting New Zealanders Ministerial Group confirmed on 28 October, that this exemption also covers Afghan nationals and family members travelling to New Zealand under the current New Zealand Government response. As noted by Cabinet, to mitigate the risk of this exemption, a full course of vaccination or an additional dose will be offered to travellers in this position as soon as possible after entry to New Zealand or as they leave MIQ.

MIQ challenges for evacuees

The Minister for COVID-19 Response has agreed to provide spaces for evacuees from the Emergency Allocation

51 The Minister for COVID-19 Response has agreed that all evacuees can be given MIQ spaces from the Emergency Allocation (EA).

52 Officials have streamlined the EA process for these evacuees. Increasing the certainty of room allocation increases the Government's ability to work with third country host governments on the possibility of evacuees staying offshore for short

⁷ Consistent with the \$6.14 million estimate provided on 9 September, the estimate of \$2.2 million covering around 365 additional visa holders is an approximation of costs only, which encompasses commercial flights for all travellers (with a possibility of some limited partial-charter options), and support for necessities such as food, accommodation, and transit visas covering a short interim period in a third country should they be required. Actual expenditure would depend on the level of need of individual travellers, and the number of travellers in fact in a position to depart Afghanistan.

⁸ The others are Brazil, Fiji, India, Indonesia, and Papua New Guinea.

periods of time, improving the stability and predictability of flow into MIQ.

53 The New Zealand Government response offshore will make its best endeavours to manage the flow of evacuees into New Zealand within the constraints noted above, which place limitations on our ability to manage departure flows.

54 MIQ is under sustained pressure due to the community outbreak, which has led to the conversion of managed isolation facilities into quarantine facilities and used up the MIQ operational reserve of rooms to relocate returnees. There is a significant risk that in the coming weeks there will be no MIQ rooms available to accommodate the number of Afghan evacuees seeking to enter the country.

55 We understand that the Minister for COVID-19 Response is proposing some system-wide changes to MIQ in the near future that would ease its current capacity pressures, which if agreed by Cabinet should enable MIQ to continue to meet its current commitments to these evacuees. A sudden increase in numbers of evacuees, or in domestic COVID cases which require use of MIQ rooms for quarantine, would present challenges for MIQ to accommodate arrivals from Afghanistan. Officials will provide advice if the scale of numbers departing Afghanistan significantly increases beyond available MIQ capacity.

We seek a Ministerial power to waive the MIQ fees for Afghanistan evacuees as a class

56 Officials advise that based on information gathered from the first group of Afghan evacuee arrivals, it is likely that most evacuees, including New Zealand citizens and permanent residents, will be liable for MIQ fees.

57 Claimants, refugees and protected persons are exempt from MIQ fees under the MIQ Fees Regulations. However, most Afghan evacuees are not classified as such currently. Instead, most are on temporary entry class visas, which means they would be liable for the temporary visa MIQ fee of up to \$5,520 including GST.

58 Many Afghan evacuees are likely to have few financial resources. Unplanned expenses in a crisis, such as MIQ fees, are likely to cause distress to individuals who have already experienced significant trauma and stress. For this reason, the Minister for COVID-19 Response considers that MIQ fees should be waived for this group.

59 The MIQ Fees Regulations do not currently provide a power to waive fees for this group. Therefore, we seek your agreement to amend the Regulations to provide the Minister of COVID-19 Response with the power to waive fees for classes of people included in the Afghanistan resettlement response.

60 If Cabinet agrees to the proposed Ministerial fee waiver power for classes of people included in the Afghanistan resettlement response, officials will provide the Minister for COVID-19 Response further advice on the groups who could be subject to the fee waiver based on any further decisions by Cabinet to enable him to exercise this power.

61 The estimated financial impact if all fees are waived for the Afghan evacuees that have already departed MIQ, and the expected arrivals that may enter MIQ over the next few months, would be approximately \$3.84 million in fees that would not be recovered.

62 We, on behalf of the Minister for COVID-19 Response, seek Cabinet's agreement to:

62.1 Agree to amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to create a Ministerial class waiver power for people who are part of the Afghanistan resettlement response.

62.2 Authorise the Minister for COVID-19 Response to issue drafting instructions to the Parliamentary Counsel Office to give effect to the proposed change.

63 Subject to Cabinet's agreement, officials will align the draft MIQ Fees Regulations

with other ongoing minor and technical amendments to the MIQ Fees Regulations for the Cabinet Legislation Committee (currently scheduled for November), so that the proposed changes can come into effect at the same time as those changes.

Resettling Afghan evacuees once they have left MIQ requires considerable resource from government and non-government organisations

64 Work to resettle Afghan evacuees once they have left MIQ is progressing at pace across relevant government agencies. Non-government organisations including the Afghan community are providing support directly to individuals to help them to connect with the local community to support successful resettlement. Further, relevant iwi and mana whenua, particularly Ngāti Whātua Ōrākei, Waikato Tainui, Te Ati Awa/Ngati Toa Rangatira and Ngai Tahu, have offered to extend their existing support services as required. Ngāti Whātua Ōrākei, the mana whenua for Tāmaki Makaurau where the current cohort are located, is preparing a manaaki/ welcome package for the new arrivals. The package includes information about the history of Aotearoa, stories of mana whenua, and information for tamariki.

Additional funding is required for temporary accommodation and other ongoing settlement and support services

65 To fully support the number of evacuees that may arrive, additional Crown funding of up to \$38.513 million is needed to continue to provide a full range of wrap-around services to evacuees. A breakdown of this total cost by different support offerings is provided below, and a summary table is provided in the financial implications section.

66 Funding is sought to cover both immediate costs to maintain good settlement support for the evacuee group that has already arrived, and likely costs from the group that may arrive. Given the uncertainty about when and in what volumes the offshore group may arrive, the general approach to costings is to:

66.1 seek additional funding now for known urgent costs likely to be incurred this financial year based on arrivals that are here or likely to arrive that cannot be met within agencies' baselines; and

66.2 delegate decision making to joint Ministers to approve further funding up to a maximum amount for the Immigration and Foreign Affairs portfolios if required based on the number of evacuees who ultimately arrive in New Zealand.

Sourcing temporary and permanent accommodation is an ongoing challenge

67 As at 19 October, of current arrivals, approximately 75 percent are in temporary accommodation provided by the government, 11 percent have moved to permanent housing, about 8 percent are in temporary accommodation with families or community contacts, and a further 7 percent are completing their MIQ 14-day mandatory stay.

68 Those in temporary accommodation provided by the government are housed in [redacted] Privacy of natural persons Ministers with Power to Act for Afghanistan agreed to a total of \$3 million to fund an initial six weeks of temporary accommodation and associated support services for the first cohort of evacuees [BR 2122-0781 refers].

69 Officials assessed other suitable accommodation options in Hamilton, Palmerston North, Wellington and Dunedin. However, the current arrangements in Auckland are working well and would be difficult to replicate elsewhere because most services are in Auckland. Further, it would be challenging to relocate the new arrivals to other regions before permanent housing can be found. Finally, [redacted] Privacy of natural persons offers flexibility, which is useful given the uncertainty around the timing of arrivals, and maintaining the current arrangement is best for the wellbeing of the cohort.

70 The funding for the temporary accommodation was intended to provide a short-term

arrangement until permanent housing could be secured. However, the ability to permanently house the evacuees will take longer than six weeks, due to the shortage of available houses throughout New Zealand.

- 71 Access to affordable housing is one of New Zealand's persistent long-term challenges and these issues have been amplified by COVID-19. A shortage of housing is contributing to significant growth in house prices and rents. While new arrivals can register for public housing once they gain New Zealand permanent residence, they will not be given priority access for houses ahead of over 24,000 applicants already on the waiting list. Therefore, it may take some time for them to access public housing, if at all. This approach is consistent with the government's approach to resettling quota refugees. Officials are considering other options including partnerships with private and community housing providers to secure private rental housing to facilitate successful resettlement.

MBIE seeks additional funding for ongoing temporary accommodation and settlement-related support

- 72 Further costs will be incurred to support the current and future cohorts of evacuees with temporary accommodation, as well as to support their settlement in permanent housing. The cost is estimated to be up to \$29.584 million.
- 73 Given the uncertainty around the number and flow of future cohorts of evacuees, the total cost to support current and future evacuees is unclear. However, using costings for the current evacuee cohort as a base and assuming up to approximately 1,600 total evacuees, costs for current and future cohorts will include:
- 73.1 temporary accommodation and associated costs (e.g. security, food, staffing based at the temporary accommodation) of up to \$23.195 million;
 - 73.2 additional staffing to find suitable permanent housing options and costs to secure rental properties of up to \$1.716 million;
 - 73.3 settlement support, including domestic travel and provision of furniture for each family housed of up to \$4.060 million;
 - 73.4 visa processing costs of \$0.613 million.
- 74 Given the cost uncertainty at this time, we propose that funding of \$10 million is sought upfront to ensure necessary and urgent costs are covered, with authorisation given to the Minister of Immigration and Minister of Finance jointly to agree to up to a further \$19.584 million if required once there is more certainty on evacuee arrivals.
- 75 The costs of temporary accommodation are significant. Consideration has been given to transitioning evacuees to Te Āhuru Mōwai o Aotearoa (the Mangere Refugee Resettlement Centre), however, doing so would adversely impact on the number of arrivals through the refugee quota (forecast at the lower end of the range of 750-1000 people) for 2021/22. Instead, to manage the temporary accommodation costs, we propose to transfer evacuees to Te Āhuru Mōwai o Aotearoa only as capacity allows until permanent housing can be found.
- 76 Officials have considered placement into other temporary options such as transitional housing. This option was not progressed because it does not provide the desired longer-term and sustainable housing outcomes the Afghan whānau require. It could also have resulted in the needs of Afghan evacuees being prioritised over vulnerable New Zealanders currently living in motel accommodation. Such an approach would have been inconsistent with the previous decision Ministers made to not fast track quota refugees.
- 77 Settlement support will be important for achieving good long-term outcomes including employment, education, health and participation in the community. Immigration New

Zealand will coordinate initial settlement support based on the individual and family needs. The majority of the evacuees who have arrived to date have been assessed a low needs with a smaller group requiring more intense support.

78 The settlement support services in the community are expected to include: the establishment and orientation to their new homes; connecting them to community services including health, education and English language classes; and orientation and connection with the community. It is expected that, for the majority, support will be for up to three months and, for a small number, up to 12 months. This approach is short-term to meet the immediate needs for the Afghan evacuee community. MBIE is working closely with the Ministry of Ethnic Communities to engage directly with the Afghan community and other ethnic communities to identify opportunities to build capability of ethnic service providers to support resettlement outcomes and community led development.

79 Visa fees for this group of individuals will be waived given their circumstances.⁹ Without Crown funding, these processing costs will be incurred against the Visa memorandum account adding to the deficit to be recovered from future fee payers. We do not consider it appropriate for these processing costs to be recovered from future fee payers and therefore seek Crown funding to cover this cost.

Additional funding is sought for Oranga Tamariki for child support and social work services

80 Based on the current cohort of evacuees in New Zealand, Oranga Tamariki estimates there will be need for additional resourcing to cover staff resource, care related needs of children in state care and prevention/intervention services. The cost Oranga Tamariki will incur in providing this resourcing will depend on how many children with needs arrive amongst Afghan evacuees. Based on experience with the evacuees that have arrived, an approximate estimate of the future costs associated with additional arrivals over approximately a 12 month period, is \$0.507 million. This would fund oversight, social work services, the cost of children coming into care, and prevention/ social service support for 12 – 14 families for a year.

The Ministry of Education seeks funding for English for speakers of other languages and learning supports within schooling

81 While most education costs for Afghan evacuees can be met within baselines, such as schooling or general study at tertiary providers, some funding for specific English for speakers of other languages (ESOL) provision and learning support will be needed and cannot be met within baselines.¹⁰

82 The Ministry of Education seeks:

82.1 \$1.182 million over two financial years for Tertiary Education for ESOL provision over the 2022 calendar year as a result of the new arrivals.

82.2 \$0.221 million for Tertiary Education to provide ESOL and other learning supports within schooling, including education packs for new arrivals.

83 This funding is sought prior to Budget 2022. Additional funding is likely to be sought for future years through Budget 2022.

The evacuees may add to cost pressures for healthcare

⁹ MBIE expects to need to waive fees for an estimated 500 critical purpose visas (\$246 per application), 450 residence applications (\$1,070 each) and 40 permanent residence applications (\$210 each), coming to a total of \$0.613 million. One visa application can include multiple members of the same family.

¹⁰ Funding for ESOL and learning supports is not population-adjusted or demand driven. Additional learner needs put additional demand on fixed-funding. For tertiary education funding, increased overall enrolments put more pressure on baselines. Uncertainty for 2022 enrolments means these additional costs cannot be absorbed within baselines at this point without trading-off other enrolments.

84 The average funding available per person for public healthcare for the 2021/22 financial year is \$2,931. Funding is allocated by the Ministry of Health to district health boards on a per capita basis. At this stage, the cost pressure will be absorbed by the health system but it may create impetus for further expenditure in the future.

We need to ensure Afghan evacuees can access benefits

85 The situation for arrivals from Afghanistan is complex and eligibility for benefits depends on a range of factors. Generally, in order to access income support through the welfare system, a person must meet the necessary eligibility criteria, including residence requirements,¹¹ as specified in the Social Security Act 2018. However, provisions exist for the Afghan evacuees as they transition from temporary visa status to permanent residence.

86 Temporary visa holders are generally excluded from accessing income support. However, those in hardship who are applying for a residence class visa¹² and who are compelled to remain in New Zealand due to unforeseen circumstances, will have access to some income support. This includes a form of main benefit and some supplementary support such as Working for Families, Winter Energy Payment or Temporary Additional Support.

87 Those on a Residence class visa, including the Afghan Emergency Resettlement Category, who are in hardship and meet the necessary eligibility requirements, will have access to most support. This includes a form of main benefit and supplementary and hardship assistance, such as the Accommodation Supplement, Temporary Additional Support, and Disability Allowance.

Changes are needed for eligibility to Special Needs Re-establishment Grants

88 Special Needs Re-establishment Grants (Re-establishment Grants) are a form of non-recoverable hardship assistance paid by the Ministry of Social Development to people in specific situations who are re-establishing themselves in the community. Re-establishment Grants are up to a maximum of \$5,000 and cover accommodation costs, such as tenancy bonds and rent in advance, as well as other costs such as utility connections, clothing and bedding.

89 Currently these grants are available to refugees, protected persons and, following Cabinet approval in 2012, Afghan Interpreters [CAB Min (12) 37/11 refers]. Under current settings, some Afghan evacuees will be ineligible for these Grants.

90 Cabinet approval is therefore sought to ensure all Afghan evacuees are eligible for Re-establishment Grants, including upon being granted permanent residence under the Afghan Emergency Resettlement Resident Visa Category. This policy is in line with the treatment of Afghan interpreters in 2012.

91 Total funding of \$4.819 million is sought for this proposal for the cost of the grant transfers. This indicative estimate assumes that all evacuees will be in need of a Re-establishment Grants and will meet the required asset and income tests. Our preference is for MSD to receive the funding up front to ensure the funding is available as soon as it is required by evacuees, with any unspent funding to be returned to the Centre at the end of the financial year.

Providing access for Afghan Evacuees to tertiary student financial support

92 Currently, a three-year residence stand-down period applies for people with a

¹¹ Social Security Act 2018 residential requirements to access general welfare support include being lawfully resident and present in New Zealand, as well as ordinarily and continuously resident in New Zealand for two years or more since becoming a New Zealand citizen or permanent resident.

¹² Resident visa or Permanent Resident Visa, including the *Afghan Emergency Resettlement Resident Visa Category*.

residence class visa before they become eligible for student loans and allowances as well as Fees Free payments, unless they belong to specific groups, such as refugees or were granted a Christchurch Response Visa (2019). The purpose of the stand-down period is to provide some confidence that those with New Zealand residence visas will stay in New Zealand long-term after they complete study. We propose to remove the three-year residence stand-down period for student loans, student allowances and Fees Free payments for Afghan evacuees granted the Afghan Emergency Resettlement Resident Visa to support their settlement outcomes in New Zealand. This would take effect for study starting on or after 1 January 2022.

- 93 Removing the three-year residence stand-down period for student support for this cohort would provide access to student financial support in line with access to the welfare system for people with an Afghan Emergency Resettlement Residency Visa. The eligibility change is estimated to provide access to a small number of additional people from this group who may undertake tertiary study prior to being resident for three years. The estimated costs are minimal and well within the normal variability of Student Loan Scheme and Student Allowance forecasts.¹³ It is therefore proposed that these costs can be met within forecast baselines for student support and appropriation baselines for Fees Free payments.

Part 2: Options for the future of New Zealand's response

A principled approach is required for any further resettlement offers

- 94 New Zealand's commitment to support people at risk to escape Afghanistan so far has been substantial, appropriate and internationally credible. We would like to contribute further to help those in need. However, we also need to ensure we have the capacity to ensure good outcomes for any further resettlement offers, and consider how Afghanistan fits into our overall international humanitarian commitments.

- 95 We have asked officials to consider what New Zealand could do to assist more Afghan nationals while managing the uncertainties about future arrivals and an assessment of our settlement capacity (and other infrastructure impacts). Officials have considered:

95.1 Using the Refugee Quota Programme (RQP)

95.2 Activating further options beyond using the RQP:

95.2.1 Option 1: Settling the extended family of New Zealanders

95.2.2 Option 2: Settling the extended families of Afghan interpreters

95.2.3 Option 3: Settling people from specified at risk groups

95.2.4 Option 4: Expand the Community Organisation Refugee Sponsorship (CORS) programme.

- 96 Our view is that the next phases of our resettlement support should focus on allocating specific places in the RQP to Afghan refugees as the established and appropriate mechanism for New Zealand's humanitarian response to the crisis. We can also promote the use of the CORS pilot as a way of taking more Afghan refugees, and for us to assess the level of housing and support that is available to consider expanding this channel.

- 97 To give certainty to community groups advocating for resettlement for family or other groups, we also seek a decision on whether to activate further resettlement groups.

We recommend allocating places for Afghan refugees under the RQP in future years

¹³ MSD estimates there will be additional flow-on expenditure costs for Jobseeker Support Student Hardship and Accommodation Supplement. These costs are minor and can be met within existing baselines.

- 98 The RQP is the appropriate ongoing mechanism for New Zealand's continued humanitarian response. There is no opportunity to bring more Afghan refugees into New Zealand through the RQP for the 2021/22 year. However, dedicated places could be allocated to Afghan refugees from within the RQP in future years.

RQP settings and current commitments to Afghanistan

- 99 The current three-year RQP is due to end on 30 June 2022. Decisions are required by Government on the size, priorities and composition of the next three-year RQP through to June 2025 by March 2022.
- 100 The quota was increased from 1,000 to 1,500 places per year from July 2020. Reflecting the difficulties posed by COVID-19, Cabinet agreed to bring in a revised number of 750-1000 refugees under the quota for the 2020/21 year.
- 101 New Zealand already plans to resettle 68 Afghan refugees as part of the October and November intakes (deferred due to the August lockdown), with a further 21 approved for future intakes, and 176 currently working through the decision-making process.

To be considered for RQP a person must be referred by the UNHCR

- 102 To be considered for resettlement under the RQP a person must be outside their country of citizenship, and must be formally referred by UNHCR. UNHCR implements strict resettlement needs criteria when identifying refugees for resettlement consideration. These criteria will prioritise women at risk, children at risk, and individuals with medical needs or disabilities, survivors of violence or torture, and individuals with heightened legal and physical protection needs, including those at immediate risk of refoulement.
- 103 Based on officials' discussions with the UNHCR and initial analysis of the RQP settings we have established:
- 103.1 There is no opportunity to bring more Afghan refugees into New Zealand through the RQP this financial year due to the selection lead times of 6- 12 months (other than those to which we have already made commitments);
- 103.2 Places should be allocated to Afghan refugees in the next three-year RQP cycle; and
- 103.3 There would be considerable cost in increasing the overall size of the RQP.

There is no opportunity to bring more Afghan refugees into New Zealand through the RQP for the 2021/22 year

- 104 The UNHCR presence in the region has been limited and infrastructure and capacity would need to be increased in the region to enable the assessment and referral of Afghan refugees who have been living in countries of asylum.

Quota places should be allocated to Afghan refugees in the next three-year RQP cycle

- 105 The UNHCR has also presented the following recommendations for the consideration of the next three-year quota planning cycle:
- 105.1 Address the backlog of unprocessed refugee case referrals with targeted new referrals only to support increased departures while COVID-19 border restrictions are in place.
- 105.2 Maintain focus on priority situations as part of internationalised efforts.
- 105.3 Prioritise the final processing and departure of Afghan refugees who have been submitted for resettlement consideration from a number of countries in Asia.
- 105.4 Accept referrals for 200-300 Afghans from various countries in 2022/23 and

2023/24 in light of the projected resettlement needs of Afghan refugees in Iran, Pakistan, and the broader region.

- 105.5 Leave up to 5% of the RQP unallocated for submissions from any location, based on acute vulnerabilities and/or specific protection needs.
- 106 We recommend setting aside 200 places for Afghan refugees in 2022/23, and that this increase to 250 places in 2023/24 and to 300 places in 2024/25, in line with UNHCR's recommendations. A gradual increase will allow time for the UNHCR to build capacity and for the identification and processing of Afghan refugees.
- 107 Setting aside specific places for Afghan refugees provides a floor for the volume of Afghan referrals we expect. Further Afghan refugees may be referred and selected through other sub-categories within the quota, such as the women at risk priority (currently at least 150 per annum) or through the Asia/Pacific regional places (50% of places are currently allocated to the region).
- 108 At this stage, we do not recommend setting the parameters for the quota in its entirety. This is a significant process requiring considerable rigour that officials need time to conduct, including inter-agency consultations and analysis of broader priorities. Officials need to consider the costs incurred and lead-in time required to ensure infrastructure, processes, and settlement support are in place.
- 109 We don't consider that we have the capacity to increase the overall Quota at this time. Efforts should be focussed towards meeting the full 1,500 quota (and settling the full cohort of Afghans we have made commitments to).
- 110 In setting the full quota, consideration can include the assessment of at least 150 places for women at risk. Decisions could be taken to increase these places and/or place a focus on Afghan women at risk.

Options beyond using the Refugee Quota Programme

- 111 The proposal to offer dedicated places to Afghan refugees in future years reinforces the significant commitment made by New Zealand already to the situation in Afghanistan. Given the cost of the response to date and the constraints in the resettlement system, MBIE recommends against creating new options for resettling groups of Afghan nationals. In MBIE's view, at the very least, (i) any work to resettle groups of Afghans through new pathways should not commence until we can assess our capacity after meeting the commitments we have already made; and (ii) any new pathway should be capped. Making commitments to settle further groups at this stage risks compromising settlement outcomes for the individuals that we have already committed to resettle, or displacing New Zealand citizens and residents from MIQ spaces or permanent housing. Any early announcement may also raise expectations amongst our onshore families and communities about supporting people to resettle that cannot be realised due to difficulties in getting out of Afghanistan, constraints on MIQ places or the inability to secure suitable long-term accommodation.
- 112 Under the status quo, Afghan nationals who are at risk, but are not eligible to be resettled through our existing commitments, may be able to travel to New Zealand on a case-by-case basis by consideration through:
- 112.1 **Ministerial discretion** – the Minister of Immigration can grant a visa to anyone at his absolute discretion.
- 112.2 **Humanitarian border exceptions** – these allow people who have exceptional circumstances of a humanitarian nature to travel to New Zealand on a Critical Purpose Visitor Visa. This is unlikely to be a viable option in most cases, as Afghan nationals looking to resettle will not meet the requirement of intending a temporary stay and having onward travel requirements.

113 If there is a desire to resettle larger numbers through new pathways, we recommend directing officials to develop one of four options for final agreement from the Minister of Immigration:

113.1 Option 1: Settling the extended family of New Zealanders through the Refugee Family Support Category or a new bespoke category

113.2 Option 2: Settling the extended family of resettled Afghan interpreters

113.3 Option 3: Settling people from specified at risk groups

113.4 Option 4: Expand the Community Organisation Refugee Sponsorship programme

114 We also recommend setting a cap of no more than 100 people to resettle under this additional offer. A cohort this size is large enough to be meaningful, but will reduce impacts on our settlement system. This could be larger in cases, like CORS, where we are confident long-term accommodation is available within the community.

Option 1a: Extended family of New Zealanders – Refugee Family Support Category

115 This visa allows New Zealand-based refugees to sponsor one extended family member and their partner and dependent children to come to New Zealand on a residence visa. Places are allocated through a two-tier queue system. Tier 1 applications (from refugees with no family in New Zealand) are prioritised, with any remaining places then allocated to Tier 2 (all other applicants).

116 The processing of visa applications under the Refugee Family Support Category (RFSC) is currently suspended due to the border closure, though requests by Tier 1 sponsors continue to be accepted.

117 There is a high demand for Tier 2, resulting in a long queue which is likely to take a number of years to address. Officials do not recommend opening Tier 2 to Afghanistan.

118 It could be possible to resume processing applications from Afghan nationals. If we did this, the first priority would be processing the existing Tier 1 applications from Afghan nationals in the queue – this would capture 142 people currently in the queue. People in this queue could be drawn in date order, or randomly up to a set cap if Cabinet wished to limit the number of people resettled under this option.

119 Following this, and if Cabinet wished to extend the offer, there would a choice between:

119.1 processing the existing Tier 2 applications from Afghan nationals in the queue. This would capture up to 442 people, which, combined with the 142 Tier 1 applications, would almost exhaust the 600 annual places; or

119.2 reopening the category to new Tier 1 applications from Afghan nationals.

120 Reopening the category to Afghan applicants only is likely to be seen as unfair by other refugee communities, particularly if Tier 2 applications or new applications from Afghan nationals are processed ahead of existing Tier 1 applications from other nationalities.

Option 1b: Extended family of New Zealanders – A new bespoke category

121 Alternatively, it could be possible to create a bespoke Afghan family sponsorship category, allowing any New Zealander to sponsor an extended family member who is an Afghan national to be resettled in New Zealand.

122 This could be used to address some of the gaps in the Refugee Family Support Category (e.g. by allowing sponsors who are not refugees or former Afghan interpreters, or broadening the definition of extended family), however would likely

result in a very large number of applications. This would need to be managed by a cap and ballot system.

123 This option has not been used before as a response to humanitarian crises and would create a precedent risk.

Option 2: Settling the extended families of Afghan interpreters

124 A second option would be to establish a pathway for the extended families of Afghan interpreters. The interpreters are easily identified but there may be difficulties in verifying extended family connections. After meeting with the Minister of Immigration they are providing further information on available accommodation.

Option 3: Settling people from specified at risk groups

125 The third group we could consider developing an immigration pathway for are prominent human right advocates and members of specific at-risk groups, e.g. prominent human rights advocates, women judges, women teachers and academics, journalists, women in professional or trades-based occupations, the LGBTQ community, and/or sportswomen and girls at representative level.

126 While case-by-case ministerial discretion remains an option for small numbers of individuals, a new, bespoke visa category would be more appropriate if we intend to offer a targeted resettlement pathway for larger numbers of people according to a prescribed policy. Any bespoke category that was set up should be capped to ensure settlement capacity is available, and to ensure a high threshold of need is maintained.

127 Officials can, if directed, do more work on options for establishing a bespoke visa category, however they advise establishing any such category would be challenging because:

127.1 it will be difficult to determine eligibility criteria that are narrow and targeted enough to prevent extremely high and unmanageable numbers of applications that cannot be approved

127.2 INZ will likely have very limited ability to verify eligibility criteria, e.g. whether an individual worked in a particular occupation

127.3 assessing humanitarian need is resource intensive, requiring specialist expertise. Significant upskilling of INZ staff would be required to increase processing capacity, and there would be high ongoing processing costs.

128 **International relations**



Option 4: The Community Organisation Refugee Sponsorship programme may be able to resettle more Afghan refugees

129 The Community Organisation Refugee Sponsorship (CORS) programme allows community organisations to sponsor refugees referred by the UNHCR for settlement. CORS refugees are granted permanent residence and can access government-funded services.

- 130 The pilot is being extended for a further three years from July 2021 and will enable up to 150 sponsored refugees to be resettled over the three years. The extended CORS pilot may offer a solution for a small number of Afghan refugees, if sponsoring organisations and Afghan refugees who meet the eligibility criteria can be identified.
- 131 Sponsor organisations need to be approved to sponsor refugees. The process for approving sponsors is expected to open in late 2021. The first sponsored refugees under the extended pilot are expected to arrive in mid-2022. Officials do not yet know what the size of the response from community groups will be and therefore how much accommodation and other sponsorship capacity there may be.
- 132 Settling more Afghan refugees through the CORS programme would require increased funding to allow the programme to accommodate more than 50 refugees per year. Funding is required for some of the administrative costs in relation to immigration decisions required (including offshore health assessment and international travel) for any increase in numbers and also working with the contracted organisations. Officials estimate an additional \$3.1 million of funding would be required to add 200 additional places under the CORS programme.
- 133 As sponsoring organisations are required to provide suitable housing for refugees arriving through CORS, there would be little to no additional demand on public housing. The impacts on MIQ are difficult to anticipate as people are unlikely to arrive until mid-2022. There may therefore be scope to increase the places available under CORS by more than the 100 recommended for non-sponsored humanitarian options.
- 134 Policy setting changes may facilitate Afghan refugees into the extended pilot. For example, the English language, qualification, and work experience requirements may be removed. These requirements were introduced on the assumption that this would lead to earlier employment.

There are two other options we will not pursue further

- 135 The options are:
- 135.1 People who supported New Zealand agencies but did not submit a request by the deadline
 - 135.2 Afghan nationals on temporary visas in New Zealand prior to the current crisis.

People who supported New Zealand agencies but did not submit a request by the deadline

- 136 There may be a small number of people who meet the resettlement criteria agreed by Cabinet on 16 August (due to their association with New Zealand government agencies' efforts in Afghanistan), but were unable to submit a request by the deadline (25 August 2021). MFAT is aware of several groups who missed the deadline for reasons such as being in hiding during the Taliban takeover.
- 137 It could be possible to create a targeted policy for people proactively identified by agencies as meeting the Cabinet criteria (i.e. without an open request process), however officials have advised that identifying eligible individuals will be difficult, as it has previously proven difficult to assess whether people are at risk due to their connection to New Zealand. There may also be fairness and transparency concerns about reopening a pathway without an open application process. There are also administrative difficulties in that advertising a pathway of this nature would attract an extremely large number of ineligible applications. Hence, we do not recommend opening any targeted pathways for this group.

Afghan nationals on temporary visas in New Zealand prior to the current crisis

- 138 As at 14 September 2021, there were 446 Afghan passport holders on a temporary visa in New Zealand. The majority of these (328) were on some form of visitor visa and

are likely to have some family connections in New Zealand – at this stage of the border closure, they are unlikely to be tourists. Many of these people are likely to prefer to remain in New Zealand and may claim they cannot safely return to Afghanistan.

139 The normal pathway for people in New Zealand who cannot safely return to their country of origin is to claim refugee or protected person status. Once their claim is approved, refugees and protected people are eligible to apply for a residence visa. Convention refugees are eligible to access the same government funded services as other residents and New Zealand citizens. They may also have existing pathways to residence, e.g. if they are here to establish a partnership with a New Zealand resident.

140 We could consider extending the special residence option to this group to provide a more streamlined path than potential asylum claims. This kind of offer has not previously been provided to other groups of temporary visa holders who may not be able to safely return to their own country **International relations**, and providing one is likely to create a perception of unfair and inconsistent treatment and lead to pressure to apply this approach more broadly. For these reasons we will not pursue this option further.

Financial implications

141 The table below summarises the funding sought through this paper by various agencies. \$16.729 million is sought immediately. We seek to make up to \$21.784 million available in the future, subject to the approval of joint Ministers. This reflects the uncertainty around the timing of future arrivals.

Agency	Vote and Minister	Purpose	Funding sought immediately – \$m	Additional funding cap – \$m	Mechanism for accessing additional funding
MFAT	Vote Foreign Affairs Minister of Foreign Affairs	To fund the potential travel-related costs of travelling to New Zealand for further eligible Afghan evacuees.	-	2.200	Delegate to joint Ministers: Minister of Finance and Minister of Foreign Affairs
MBIE	Vote Labour Market Minister of Immigration	To fund temporary accommodation, settlement-related support, and visa processing costs for Afghan evacuees.	10.000	19.584	Delegate to joint Ministers: Minister of Immigration and Minister of Finance
Oranga Tamariki	Vote Oranga Tamariki Minister for Children	To fund Oranga Tamariki to provide oversight, social work services, the cost of children coming in to care, and prevention/ social service support for 12-14 Afghan evacuee families for a year.	0.507	-	
MSD	Vote Social Development Minister for Social Development and Employment	To ensure evacuees can access Re-establishment grants.	4.819	-	
MoE	Vote Tertiary Education Minister of Education	For English for speakers of other languages (ESOL) provision as a result of the new arrivals.	1.182	-	
MoE	Vote Education Minister of Education	To provide ESOL and other learning supports within schooling.	0.221	-	
TOTAL			16.729	21.784	

Table 4: Summary of financial implications

142 We note that, the arrival of Afghan evacuees adds to existing pressures in some areas, e.g. our health system, which may result in cost pressure funding being sought as part of future Budget processes should these costs not be able to be managed within baselines.

143 As noted, there will be financial implications from expanding or creating a pathway for further Afghan nationals to come to New Zealand. We can report back to Cabinet with advice on the possible financial implications of any option for extended support that Cabinet chooses to pursue.

Consultation

144 The following agencies have been consulted on this paper: Treasury, Ministry of Housing and Urban Development, Oranga Tamariki, Ministry of Education, Ministry of Ethnic Communities, Ministry of Foreign Affairs and Trade, Ministry of Health, Ministry of Social Development, New Zealand Defence Force, New Zealand Police, Department of the Prime Minister and Cabinet, National Emergency Management Agency, and Kainga Ora.

Legislative Implications

145 As noted, if Cabinet agrees, the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 need to be amended to include a Ministerial class waiver power for groups of people included in the Afghanistan resettlement response. The Minister for COVID-19 Response will manage this process.

146 If Cabinet agrees to Afghan evacuees becoming eligible for Special Needs Re-establishment Grants, the Special Needs Grant Programme will need to be amended by the Minister for Social Development and Employment in accordance with this decision.

147 If Cabinet agrees to Afghan evacuees being eligible for student support, the Student Allowances Regulations 1998 will need to be amended in accordance with this decision.

Regulatory Impact Statement

148 This proposal does not meet the threshold to require a Regulatory Impact Statement.

149 Treasury's Regulatory Impact Analysis Team has determined that the proposal to include a Ministerial class waiver from Managed Isolation and Quarantine charges for people who are part of the Afghanistan resettlement response is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor impacts for businesses, individuals and not-for-profit entities.

Human Rights

150 The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993, and with New Zealand's international human rights obligations. The Immigration Act 2009 recognises that immigration matters inherently involve different treatment on the basis of personal characteristics, but immigration policy development seeks to ensure that any changes are necessary and proportionate.

Publicity

151 We will announce the decision and timeframes for implementation after Cabinet has made a decision on these proposal.

Proactive release

152 We propose to release this paper proactively. Any redactions made will be consistent with the Official Information Act 1982.

Recommendations

The situation in Afghanistan and New Zealand's response

- 1 **Note** that the situation in Afghanistan is dangerous and uncertain.
- 2 **Note** that New Zealand's response is comprehensive, extensive and resource intensive.
- 3 **Note** that 449 Afghanistan evacuees have made it to New Zealand and that approximately 1,129 more could arrive.
- 4 **Note** that the context for repatriation operations is extremely challenging, and flows of potential evacuees to New Zealand remain uncertain as a result of complex security, political, logistical, weather, and documentation-related issues.
- 5 **Note** that comprehensive wrap-around services need to be available to Afghan evacuees once they arrive in New Zealand.

COVID-19 Travel Requirements

- 6 **Note** that officials will undertake a public health assessment to inform consideration by the Director-General for Health of a potential class exemption to the COVID-19 'very high risk country' policy for eligible Afghan nationals.
- 7 **Note** that Cabinet has agreed that people seeking to travel to New Zealand as part of our Refugee Quota Programme are exempted from the requirement to be fully vaccinated before travelling [CAB-21-MIN-0403 refers].
- 8 **Agree** that, as well as the Refugee Quota Programme, the exemption for refugees from the requirement to be fully vaccinated before travelling to New Zealand is intended to apply to any eligible Afghan nationals and family members seeking to travel to New Zealand as part of the current Government response to the situation in Afghanistan.

MIQ capacity

- 9 **Note** that the Minister for COVID-19 Response has agreed to grant MIQ spaces to evacuees from the Emergency Allocation.
- 10 **Note** due to MIQ pressures resulting from the community outbreak of COVID-19, there is a significant risk of no MIQ rooms being available for Afghan evacuees in coming weeks.
- 11 **Note** system-wide changes to MIQ currently under development will ease MIQ pressures in coming weeks if agreed by Cabinet, but a sudden increase in numbers of travellers arising would still pose a challenge to MIQ's ability to accommodate evacuees at short notice.

MIQ fees

- 12 **Agree** to amend the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 to include a Ministerial class waiver power for groups of people included in the Afghanistan resettlement response.
- 13 **Invite** the Minister for COVID-19 Response to issue drafting instructions to Parliamentary Counsel Office to give effect to the above recommendation.

- 14 **Authorise** the Minister for COVID-19 Response to make decisions consistent with the decisions in this paper on any technical issues which may arise during the drafting process.

Funding for resettlement support

- 15 **Note** that since Ministers with Power to Act agreed on 16 September to reprioritise an estimated \$6.14m from baseline international development cooperation and consular funding from within Vote Foreign Affairs for travel costs for evacuees from Afghanistan, eligible Afghan nationals granted visas have increased by several hundred people.
- 16 **Note** that the temporary accommodation provided by Immigration New Zealand for the Afghan evacuees who have already arrived needs to be extended while permanent housing is secured.
- 17 **Note** the approximately 1,129 Afghan evacuees that may arrive in New Zealand in addition to the current cohort will create new costs for agencies, with the total cost depending on how many Afghan evacuees ultimately arrive in New Zealand.
- 18 **Agree** to make Afghan evacuees eligible for Re-establishment Grants, including upon being granted permanent residence under the Afghan Emergency Resettlement Resident Visa Category.
- 19 **Invite** the Minister for Social Development to amend the Special Needs Grant Programme as set out in the above recommendation.
- 20 **Agree** to provide additional funding for:
- 20.1 Immigration New Zealand to fund temporary accommodation, settlement-related support, and visa processing costs for Afghan evacuees;
 - 20.2 The Ministry of Foreign Affairs and Trade to cover potential travel-related costs of travelling to New Zealand for further eligible Afghan evacuees;
 - 20.3 Oranga Tamariki to provide social work services, meet the cost of children coming in to care, and cover social service support for 12-14 Afghan evacuee families for a year;
 - 20.4 The Ministry of Social Development to provide a one-off Re-establishment Grant to help the Afghan arrivals to resettle in New Zealand;
 - 20.5 The Ministry of Education to support increased demand on English for Speakers of Other Languages (ESOL) provision within the tertiary sector and learning support within schooling for Afghan evacuees;
- 21 **Agree** to expenditure of up to \$38.513 million to give effect to recommendation 20, with \$16.729 million of the funding being appropriated as set out in recommendation 22 and decision-making on the remaining up to \$21.784 million of funding being delegated to joint Ministers as set out in recommendation 26;
- 22 **Approve** the following changes to appropriations to give effect to the policy decisions in recommendation 20 above, with a corresponding impact on the operating balance and net core Crown debt:

	\$m – increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & out years
Vote Labour Market Minister of Immigration					

Multi-Category Expenses and Capital Expenditure: Immigration Services MCA					
Departmental Output Expenses: Settlement and Integration of Refugees and Other Migrants (funded by revenue Crown)	9.387	-	-	-	-
Assessment and Processing Services (funded by revenue Crown)	0.613	-	-	-	-
Sub-total: Vote Labour Market	10.000	-	-	-	-
Vote Oranga Tamariki Minister for Children					
Investing in Children and Young people MCA:					
Departmental Output Expenses: Prevention and Early Support (funded by revenue Crown)	0.105	-	-	-	-
Statutory Intervention and Transition (funded by revenue Crown)	0.402	-	-	-	-
Total: Vote Oranga Tamariki	0.507	-	-	-	-
Vote Social Development Minister for Social Development and Employment					
Benefits or Related Expenses Hardship Assistance	3.213	1.606	-	-	-
Sub-total: Vote Social Development	3.213	1.606	-	-	-
Vote Tertiary Education Minister of Education					
Multi-Category Expenses and Capital Expenditure: Tertiary Tuition and					

Training (MCA)					
Non-Departmental Output Expense: Community Education	0.638	0.544	-	-	-
Sub-total: Vote Tertiary Education	0.638	0.544	-	-	-
Vote Education Minister of Education					
Multi-Category Expenses and Capital Expenditure: Outcomes for Target Student Groups (MCA)					
Departmental Output Expenses: 1. Interventions for Target Student Groups 2. (funded by revenue Crown)	0.221	-	-	-	-
Sub-total: Vote Education	0.221	-	-	-	-
Total operating	14.579	2.150	-	-	-
Total capital	-	-	-	-	-

- 23 **Agree** that the expenses incurred under recommendation 22 above be charged against the between-Budget contingency established as part of Budget 2021;
- 24 **Agree** that the proposed changes to appropriations above be included in the 2021/22 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- 25 **Note** that the funding in recommendation 22 is time limited, and any further funding would need to be considered as part of future Budgets, should costs not be able to be managed within baselines;
- 26 **Authorise** the relevant appropriation Minister(s) and Minister of Finance jointly to agree to any additional funding up to the \$21.784 million agreed by Cabinet in recommendation 21 above and to approve necessary changes to appropriations, their inclusion in the 2021/22 or 2022/23 Supplementary Estimates (as relevant) and increases being met from Imprest Supply in the interim with the \$21.784 million broken down as follows:
- 26.1 Immigration/Finance up to \$19.584 million to give effect to recommendation 20.1
- 26.2 Foreign Affairs/Finance up to \$2.200 million to give effect to recommendation 20.2
- 27 **Agree** that funding approved by joint Ministers under recommendation 26 be charged against the between-Budget contingency (if there is still funding available) or if there is not, as a pre-commitment against Budget 2022 or Budget 2023 (as relevant);

Access to tertiary student financial support

- 28 **Agree** to remove the requirement to have held a residence class visa and have lived

in New Zealand for at least three years and the requirement to be ordinarily resident in New Zealand for student loans, student allowances and Fees Free Tertiary Education and Training for study starting on or after 1 January 2022 for those with an Afghan Emergency Resettlement Residency Visa.

- 29 **Note** that the Minister for Social Development will instruct the Parliamentary Counsel Office to draft the necessary changes to the Student Allowances Regulations 1998, as set out in the above recommendation.
- 30 **Note** that the financial implications incurred under recommendation 25 above are expected to be minimal and well within the normal variability of Student Loan Scheme and Student Allowances forecasts and within Fees Free payment baselines and will be met within existing Vote Social Development, Vote Revenue and Vote Tertiary Education baselines.

Further resettlement offers to Afghan nationals

- 31 **Note** that New Zealand cannot bring more Afghan refugees into the country through the Refugee Quota Programme this year.
- 32 **Agree** to allocate the following places to Afghan refugees in the next three-year RQP cycle:
- 32.1 200 places (+/- 10%) in 2022/23;
 - 32.2 250 places (+/- 10%) in 2023/24; and
 - 32.3 300 places (+/- 10%) in 2024/25.
- 33 **Note** that the refugee quota also includes 200 places (+/- 10%) for large-scale crisis situations and at least 150 places for women at risk and these places may be allocated to Afghan refugees and other existing crises, as well as other situations that emerge throughout this period.
- 34 **Note** that it is not possible within the refugee quota programme to target specific individuals or groups of individuals (e.g. women judges, human rights defenders or LGBTQI groups) beyond the existing broad UNHCR categories of women at risk, children at risk, individuals with medical needs or disabilities, survivors of violence or torture, and individuals with heightened legal and physical protection needs.
- 35 **Agree** to defer decisions on other categories and sub-categories within the quota, until March 2022 to allow officials time to properly consider the advice of the UNHCR regarding priorities for the next three years.
- 36 **Agree** that New Zealand has already made a substantial and internationally credible commitment to resettling Afghan nationals.
- 37 Either:
- 37.1 **Agree** that the existing commitment to resettle approximately 1,291 people from Afghanistan and increase spaces specifically for Afghans in the refugee programme is a significant and appropriate response and further extensions should not be considered at this time.
- Or
- 37.2 **Invite** the Minister of Immigration to report back on the capacity of community organisations to sponsor additional refugees from Afghanistan under the Community Organisation Refugee Sponsorship programme.
- Or
- 37.3 **Agree** to provide an additional capped, balloted, humanitarian resettlement pathway for either:

- 37.3.1 Extended family of Afghans living in New Zealand; or
- 37.3.2 The extended family of Afghan Interpreters resettled in New Zealand; or
- 37.3.3 Human and Gender rights advocates at risk in Afghanistan identified by international or representative bodies

(Select One)

And

- 37.4 Authorise** the Minister of Immigration and Minister of Foreign Affairs to take decisions on the mechanisms and planning (subject to any further funding requirements).

Authorised for lodgement

Hon Kris Faafoi

Minister of Immigration

Hon Nanaia Mahuta

Minister of Foreign Affairs and Trade / Minita Take Aorere