



BRIEFING

Accommodating further evacuees from Afghanistan in MIQ

Date:	27 September 2021	Priority:	High
Security classification:		Tracking number:	2122-1129

Action sought		
	Action sought	Deadline
Hon Chris Hipkins Minister for COVID-19 Response	<p>Note around 1,250 travellers from Afghanistan remain outside of New Zealand and eligible for Government support in travelling here.</p> <p>Agree to allow an out-of-cycle group allocation request for these evacuees to go to the Border Exceptions Ministerial Group.</p> <p>Refer this paper to the Minister of Foreign Affairs and the Minister of Immigration</p>	30 September 2021

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Kara Isaac	General Manager, MIQ Policy	Privacy of natural persons	✓
Privacy of natural persons	Senior Advisor, Allocation and Supply		

The following departments/agencies have been consulted
MBIE Immigration Policy, Immigration New Zealand, Ministry for Foreign Affairs and Trade

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

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Purpose

This briefing is seeking your decision on whether to continue to prioritise evacuees from Afghanistan by allowing an out-of-cycle group allocation request be made for them.

Executive summary

Around 400 New Zealand citizens, permanent residents and Afghan citizens have been evacuated from Afghanistan to New Zealand. An estimated 1,250 people eligible to enter New Zealand remain in Afghanistan.

Travel routes remain very restricted from Afghanistan and New Zealand Government advice is for people to shelter in place, but we expect to see a small flow of evacuees leaving Afghanistan and seeking to enter New Zealand. This is expected to be in the range of 100-500 by the end of 2021, if conditions in Afghanistan do not change.

An MIQ group allocation is the best existing MIQ pathway to ensure a stable pathway for evacuees to enter New Zealand. It will provide some predictability in terms of the flow of travellers, and will give MIQ the advance notice necessary to provide wraparound support to the evacuees while in MIQ. An ongoing allocation of 50 rooms per month starting in October would allow around 200-300 people to enter New Zealand by the end of 2021.

If you agree that this is the best course of action, MFAT and INZ officials will prepare an out-of-cycle group allocation request for the Minister of Foreign Affairs and the Minister of Immigration to send to the Border Exceptions Ministerial Group.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

- a **Note** following the rapid change in Afghanistan's political stability, the New Zealand Government evacuated approximately 400 New Zealand citizens, permanent residents, and Afghan citizens with links to New Zealand in late August 2021.

Noted

- b **Note** due to the unplanned nature of their arrival, which coincided with the community outbreak of COVID-19, and their highly complex needs, MIQ was placed under significant pressure during this period.

Noted

- c **Note** there are approximately another 1,250 individuals in Afghanistan who are either New Zealand citizens/permanent residents and immediate family members, or Afghan nationals holding critical purpose visas who were not evacuated in late August 2021.

Noted

- d **Note** that the Government has agreed to support the travel and access of these individuals to New Zealand, but did not make a determination on the use of MIQ spaces to support this response [CAB-21-MIN-0323 and CMG-21-MIN-0001 refer].
Noted
- e **Note** that as a temporary measure, the Ministry for Foreign Affairs and Trade (MFAT) and MBIE have agreed to use the MIQ Emergency Allocation process to support individuals listed in recommendation (c) who manage to leave Afghanistan and arrive in New Zealand over the next two to three weeks, and that officials are currently aware of 25-30 of these individuals.
Noted
- f **Note** that there is significant uncertainty over how many people will be able to leave Afghanistan in the near future. There are currently no viable air routes directly out of Afghanistan and the official New Zealand government advice is for people to shelter in place rather than travelling to land border crossings.
Noted
- g **Note**, due to the circumstances described in recommendation (f), it is expected that fewer than 500 eligible individuals will be able to enter New Zealand by the end of the year, however there is uncertainty attached to this figure.
Noted
- h **Agree** that as part of the Government's Afghanistan response, these evacuees should be prioritised for MIQ spaces, noting this will reduce the number of MIQ spaces available to other individuals seeking to travel to New Zealand.
Agree / Disagree
- i **Note** you have previously declined to consider other agencies' out-of-cycle group allocation requests, but that MIQ officials advise that this is the best allocation pathway for this highly complex group.
Noted
- j **Agree** to allow an out-of-cycle group allocation request made by the Minister of Foreign Affairs for approximately 50 rooms per month from October 2021 to March 2022 for Afghanistan evacuees, to be put to the Border Exceptions Ministerial Group.
Agree / Disagree
- k **Note** for months in which the group allocation is already fully assigned to other groups, rooms will be taken from the operating contingency for this allocation.
Noted
- l **Note** the majority of travellers from Afghanistan are liable for fees under the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020, and we will provide separate advice on options to waive these fees.
Noted
- m **Note** that should there be a large future wave of evacuees, MIQ will not be able to accommodate this demand without compromising other MIQ entries, and a different approach would be needed in this instance.
Noted
- n **Note** officials will provide you with advice in the event of a large group of evacuees suddenly seeking to enter New Zealand that could not be accommodated through existing MIQ allocations.
Noted

- o **Agree** to refer this briefing to the Minister for Foreign Affairs and Minister of Immigration.

Agree Disagree

- p **Agree** that this briefing should not be proactively released because of the security and national interest issues discussed.

Agree Disagree



Kara Isaac
General Manager
MIQ Policy, MBIE

27 / 09 / 2021



Hon Chris Hipkins
Minister for COVID-19 Response

30 / 9 / 2021

Rather than a special group allocation, I want to continue to accommodate this group through the Emergency Allocation. I would like to increase the size of the Emergency Allocation by an additional 50 places per month. Given the uncertainty, I do not want a group allocation that may not end up being used. By keeping it within the Emergency Allocation we can ensure those rooms still get used one way or the other.

Context

1. United States and international militaries withdrew from Afghanistan at the end of August 2021. This followed the Taliban re-taking most of the country, including Kabul. The country's political stability has been significantly compromised and Afghan citizens who worked with western governments, including New Zealand, are at risk of reprisals from the Taliban.
2. As part of the international evacuation effort from Kabul Airport in August 2021, New Zealand was able assist the departure of approximately 400 New Zealand citizens, permanent residents and Afghan nationals holding visas for New Zealand as well as their family members.
3. The evacuees were allocated MIQ spaces from the MIQ operating contingency since, due to the urgent nature of the situation, there was no time to accommodate them through an existing MIQ pathway.
4. The timing of the evacuation, which coincided with the community outbreak of COVID-19, placed MIQ under significant pressure in August and September 2021, both in terms of allocation of rooms and provision of wrap-around services, as a large number of the Afghanistan evacuees had highly complex support needs (health, language, pastoral care).
5. There are more individuals remaining in Afghanistan who are eligible to come to New Zealand. However, their ability to travel is constrained by limited travel routes out of Afghanistan [2122-0859 refers].

What we know about the next group of evacuees

6. The next group of evacuees is a mix of New Zealand citizens and permanent residents, their immediate family members, and Afghan citizens granted critical purpose visas or section 61 visas.
7. Cabinet agreed to resettle Afghan nationals who supported the New Zealand presence in Afghanistan where being identified in relation to that work means there is a threat to their safety while they remain in Afghanistan [CAB-21-MIN-0323 and CMG-21-MIN-0001 refer].
8. There are around 700 further visa holders in Afghanistan that are eligible for Government support, and 100 visa holders that are likely to be eligible for Government support (due diligence is still being done to confirm this). In addition to this, there are approximately 250 more individuals that MFAT and NZDF believe are eligible for critical purpose visas and government support, though INZ has not yet assessed these applications. Border exception and visa processes are independent of MIQ access. The access to MIQ spaces for these evacuees is not considered at the time of visa issue.
9. In total, we believe there are around 1,250 further evacuees from Afghanistan eligible for government support: 200 New Zealand citizens, permanent residents and immediate family members, and 1,050 Afghan nationals who have either been granted or are likely to be granted critical purpose or section 61 visas.

Short Term Approach – next two to three weeks

10. We are starting to see a small number of individuals make their way out of Afghanistan. Given the uncertainty of the situation in Afghanistan it is difficult to forecast how many individuals may be able to exit the country in coming weeks, but officials are currently aware of 25-30 people seeking to enter New Zealand in the next two to three weeks.
11. As a temporary measure, MIQ and MFAT have agreed that emergency allocation requests be made for these individuals on the basis of category 2d 'national interest'. While New

Zealand citizens and residents can apply under category 1a(iii) (risk to safety), for consistency the same category is being used for all evacuees.

12. However, this is not sustainable as a long-term solution as it requires each traveller's application to be assessed and a determination made as to eligibility, rather than a decision that would apply to all travellers in this situation equally. This creates additional strain on the applicants themselves and those assessing emergency allocation requests, where there is currently a significant backlog.
13. There is no provision for emergency allocations to be decided on a group basis. Significant planning is required to provide specialised wrap around support for these evacuees' complex needs. It is challenging to do this well with the limited notice provided when they are coming through the Emergency Allocation process.

Longer Term Approach

14. MFAT and INZ are working to support travellers from Afghanistan and assist them in travelling to New Zealand. MFAT is establishing temporary consular teams International relations
[REDACTED]
[REDACTED]
[REDACTED] There will be an expectation from these transit countries that New Zealand facilitates the departure of travellers as quickly as possible.
15. The flow of evacuees is highly uncertain due to Afghanistan's political instability. Until Kabul Airport is reopened, the number of people able to make their way to neighbouring countries by land is likely to remain low. However, while there are on-going and substantial barriers and issues to work through, some charter flights are beginning to operate out of Kabul Airport. MFAT is exploring the potential for those flights (particularly the flights to International relations to carry New Zealanders and their families. Currently, opportunities for visa holders to use this route appear limited, but this may change when conditions at the airport allow for outbound travel. There is still a significant unknown around who the Taliban will permit to leave the country.
16. The uncertainties regarding the operation of the airport as well as the viability of land routes, make it difficult to estimate the number of potential people seeking to return to New Zealand at any given time. MFAT estimates between 100 and 500 people may be in a position to travel to New Zealand by the end of 2021, who are predominantly New Zealand citizens and their dependents, but notes the difficulty of making any definitive prediction.
17. If a large number of travellers exit Afghanistan at the same time and present at a transit country border, it is not certain for how long the group will be able to remain before coming to New Zealand. International relations
[REDACTED]
[REDACTED] Delaying travel to New Zealand would also raise logistical issues around care for groups while they remained in the transit location.
18. It is important as part of the all-of-Government response to consider the need to balance the importance of bringing evacuees to New Zealand in a timely manner with the risks that a large group arrival would impose on MIQ. It is also important to consider the ability of MIQ and resettlement services to provide the support that the evacuees need on their arrival in New Zealand.

Prioritisation of travellers

19. Ministers have agreed to treat New Zealand citizens, residents and visa holders evacuated from Afghanistan equally when it comes to providing them with humanitarian support and consular assistance¹ to travel to New Zealand.
20. The first tranche of evacuees, who were directly evacuated from Kabul, were found places in MIQ by using contingency rooms. They were effectively prioritised above all other travellers seeking to come to New Zealand, as they did not need to apply through existing pathways for MIQ. This was justified due to the emergency nature of the evacuation. However, we do not recommend taking this approach again, as the pressure on the MIQ system leads to a greater risk of failures happening and potentially COVID-19 leaks into the community.
21. There is a clear humanitarian case for supporting the further evacuees to come to New Zealand, including allocating MIQ spaces for them. Evacuees are likely to be vulnerable and have few financial resources. In addition, they are unlikely to be able to stay in third country support hubs for extended periods of time. For these reasons, we feel it is inappropriate to expect them to source their own vouchers on MIAS. However, MIQ cannot sustain the uncontrolled and unplanned entry of potentially hundreds of people who are likely to have highly complex needs.
22. In order to ensure the resilience of MIQ and in the interests of fairness and transparency, officials recommend that this group receive an allocation through one of MIQ's existing pathways that will allow MIQ rooms to be made available on a consistent and ongoing basis to these evacuees. We note that prioritising this group of travellers means there will be fewer vouchers available for other travellers wishing to enter New Zealand.

Use of a MIQ group allocation

23. If you decide to prioritise these evacuees (rather than expect them to source vouchers on MIAS), we recommend an out-of-cycle group allocation is made for them. This would set aside a regular number of places per fortnight for these travellers, who could gather at the third country support hubs and travel to New Zealand at regular intervals.
24. Group allocations are made in packages for a set time period (e.g. November 2021-March 2022). You have previously declined to consider any out-of-cycle group allocation requests [2122-0300 refers], however we consider this is a worthwhile case for which to make an exception given the gravity of the situation in Afghanistan.
25. The Government's decisions so far have been to prioritise and support this group of travellers. As such, refusing to consider an MIQ allocation for them risks inconsistency with both the treatment of previous evacuees and with the intent Ministers have signalled in how evacuees will be treated.
26. MIQ officials recommend that a group allocation is the best approach to ensure the flow of arrivals is kept to a manageable level and appropriate supports are put in place for them, both while they are in MIQ and following their entry into the community. The size of the proposed allocation is small enough that it is able to be accommodated in the group allocation most months without requiring additional vouchers to be taken from MIAS. We will continue to work with MFAT and INZ to minimise the risk of requiring additional vouchers being taken from MIAS.
27. Evacuees arriving in groups also reduces the processing burden on MIQ officials and evacuees themselves. MFAT and INZ will confirm and verify the evacuees who will use the group allocation and would provide critical information in a timely manner to MIQ to support planning. This would remove the need for MIQ to manually assess each traveller's

¹ MFAT briefing *Afghanistan Response: New Zealand support for New Zealand citizens, permanent residents and Afghan visa holders* (9 September) refers

circumstances. The resources required to support their complex needs while in MIQ and on entering the community are scarce (eg, translation support, culturally appropriate pastoral care) so bringing them in as groups also makes it easier to provide this support to them.

28. Given the complex needs of these evacuees, there is a greater risk of COVID-19 transmission if we are unable to plan appropriately and provide language, wellbeing and health supports. People feeling isolated or vulnerable may struggle with abiding by infection prevention and control protocols, a risk which proper wraparound supports mitigates.
29. If you agree, MFAT and INZ officials, with MIQ support, will develop a group allocation proposal for the Minister of Foreign Affairs and the Minister of Immigration to put to the Border Exceptions Ministerial Group.

Size of the group allocation

30. Gauging the size of the allocation is difficult and will depend on:
 - a. How many travellers are able to leave Afghanistan;
 - b. When Kabul Airport reopens and how strictly controlled travel will be when this happens; and
 - c. How long travellers will be allowed to wait at support hubs in third countries.
31. MIQ recommends an ongoing group allocation for Afghanistan evacuees of around 50 rooms per month until the end of March 2022 (the current group allocation period). MFAT estimate between 100 and 500 eligible people could leave Afghanistan by the end of the year. An allocation of 50 rooms per month would allow 200-300 evacuees to enter MIQ by the end of 2021.
32. Most critical purpose visa holders will need ongoing resettlement support once they have arrived in New Zealand. INZ are working to determine the number and flow of evacuees that could be accommodated at Te Te Āhuru Mōwai o Aotearoa (the Mangere Refugee Resettlement Centre) without impeding current commitments to the Refugee Resettlement Programme. Early discussions indicate that with a maximum flow of 25 MIQ rooms per fortnight, ongoing resettlement support would be feasible for individuals who needed it.
33. Given the uncertain flow of evacuees, a certain amount of flexibility in the size of the allocation will be required. We will aim to set the allocation on the conservative side, but with some flexibility to increase it if necessary. This will mitigate potential room wastage.
34. We would work with MFAT and INZ officials to develop reasonable timeframes by which MIQ will receive confirmation of numbers of travellers, which will allow unallocated rooms to be released onto MIAS for other travellers to use.
35. If air travel from Afghanistan reopens, we could see a large number of people arriving in the support hubs in International relations. We do not have the ability to accommodate a sudden large groups of travellers at short notice. MIQ is working with MFAT and INZ to plan a process for managing an increase in demand, including consideration of whether it would be possible to hold people in third countries for longer.

Fees

36. You have indicated that Afghanistan evacuees should not be required to pay MIQ fees under the COVID-19 Public Health Response (Managed Isolation and Quarantine Charges) Regulations 2020 (the Regulations). Based on initial information gathering from the first group that have arrived, it is likely that the majority of Afghanistan evacuees, including New Zealand citizens and permanent residents will be liable for fees under the Regulations. We understand that the majority of Afghan nationals are on temporary entry class visas which

means they would be liable for the temporary visa fee of \$5,520 including GST for the first traveller in each room, with additional charges for subsequent travellers.

37. The Chief Executive of MBIE can waive MIQ charges on an individual basis under financial hardship or special circumstances grounds. We expect that Afghanistan evacuees would meet this criteria, however due to the case by case consideration, a waiver is not guaranteed.
38. Given the burden this would place on individuals who are likely already under significant stress, and noting that the outcome is not guaranteed, we consider the best option is to waive MIQ fees for this group. We are preparing advice on options for how to treat Afghanistan evacuees, including advice on amendments to the Regulations that would enable you to waive fees as a class. This is similar to the class waivers that came into force on 10 August 2021 for people coming from Australia or for people affected by changes in border settings.

Next steps

39. We recommend that you refer this briefing to the Minister for Foreign Affairs and Minister of Immigration.
40. If you agree to progress an out-of-cycle group allocation request, this will need to be approved by the Border Exceptions Ministerial Group. There is no meeting of this group planned in the near future, so officials will prepare a paper to be circulated for out-of-session approval.
41. Should the flow of travellers arriving at support hubs rapidly increase to significantly exceed the group allocation (eg due to the reopening of air routes from Afghanistan), we will provide you with urgent advice on how to accommodate these travellers in MIQ. Work is underway with MFAT and INZ to prepare for this situation.