

REUNITING FAMILIES

A PATH FORWARD FOR
AOTEAROA NEW ZEALAND



CENTRE FOR ASIA PACIFIC
REFUGEE STUDIES



Migration
Programmes
Ngā kaupapa hunga whakarere

Key Terms

Refugee Family Support Category (RFSC) – a residence visa category that allows an individual or family to sponsor one or more family members through a prioritised tier system. The category allows for 600 visas to be issued each year. For this report we call this family sponsorship for ease of communication and because it is the main way that refugees can reunite with their families.

Refugee quota – the annual New Zealand intake of UNHCR mandated refugees. The current quota is 1500 people per annum.

Asylum seekers and Convention refugees – people who make a claim for refugee protection, while already in Aotearoa New Zealand are asylum seekers. If their claim is recognised, they become Convention refugees. On average 182 people per year have been recognised, over the past ten years, though the number of claims have increased in the past two years.¹

Community sponsorship – when community members group together to sponsor a refugee to Aotearoa New Zealand through the Community Organisation Refugee Sponsorship (CORS) residency visa programme. Currently it is in its second pilot for a maximum of 50 people per year, ending in mid-2025.

Abbreviations

CORS – Community Organisation Refugee Sponsorship

IDI – Integrated Data Infrastructure

ITA – Invitation to Apply (to the RFSC)

RFSC – Refugee Family Support Category

UNHCR – United Nations High Commissioner for Refugees or, the UN Refugee Agency.

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¹ 2013/14 to 2022/23 including both initial decisions and appeals to the Immigration and Protection Unit.

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Foreword from Sarah Stuart-Black, Secretary General, New Zealand Red Cross.



Tēnā koutou katoa,

New Zealand Red Cross has a long history of working with refugees and former refugees to make this country their home.

Today, our migration programme is one of our largest services to the community. On any day we will help newly arrived quota refugees to settle and help them find work, check in on accepted asylum seekers through our Convention Navigator and help prepare former refugees for when sponsored family members arrival. This last group is the focus of this report.

We know how important it is for former refugees to be surrounded by family. And while many family members arrive together, others face trying circumstances. Through our refugee trauma recovery work, we have seen how the arrival of a family member can really help people turn a corner and fully settle into a new life.

This report primarily details the challenges that have emerged with a large and growing backlog of registrations in the Refugee Family Support Category. No-one benefits when the chance to be reunited is delayed and many families have been registered for over seven years with no end to that wait on the horizon.

The report provides timely options to clear the backlog while also looking to balance future intakes. I want to emphasise what the authors of the report note: the present system is under stress, but it need not be seen as broken. We look forward to taking on the challenges set out in this report and settling on a solution to the humanitarian issues that it details.

Ngā mihi maioha,

A handwritten signature in black ink, appearing to read 'Sarah Stuart-Black'.

Sarah Stuart-Black QSO

Secretary General, New Zealand Red Cross

1. Introduction from Professor Jay Marlowe

Our country's geographical isolation sets us apart – we do not have large numbers of asylum seekers arriving on an annual basis like we see in so many other parts of the world. Instead, our humanitarian intake is highly structured, at the core of which is the UNHCR refugee quota. Complementing this, the Refugee Family Support Category allows for 600 sponsored places annually, providing former refugees living here with the opportunity to reunite with their loved ones.

Currently, our system for reuniting families is out of balance and under immense pressure. More than 6000 family members are already part of a growing backlog, with those in Tier 2 waiting over seven years since registering. This 6000-person backlog represents over a decade's worth of the current annual intake of 600 people. This report outlines several key reasons why a significant backlog has emerged.

Rather than seeing the family reunification system as fundamentally broken, we identify the current structure as under strain, but not beyond repair. This report calls for focused, strategic adjustments to address these imbalances and enhance the system's overall efficiency and fairness.

With both the current and previous governments recognising the need for urgent reform, our report details the challenges and puts forward four options to clear the backlog and work towards long-term balance:

- Clear the backlog: temporarily boost the intake to clear the 6000-person backlog, ensuring families are not left in indefinite waiting periods.
- Increase the RFSC intake: permanently expand the current annual intake of 600 sponsored places to 900 to create long term balance.
- Focus on family readiness and eligibility: shift away from rigid annual intake caps to allow sponsors who are ready and eligible to proceed without unnecessary delays.



- Link family reunification to the CORS programme: Create a pathway where community organisations can play a larger role in reunification, leveraging existing infrastructure and wider community support to enhance integration outcomes.

The time to act is now. The options presented are practical, achievable, and essential to ensuring that families with refugee backgrounds can rebuild their lives together in Aotearoa New Zealand.

Professor Jay Marlowe

Co-director, Centre for Asia Pacific Refugee Studies

Maria's journey: the power and hope of family reunification

To illustrate the benefits of family reunification, we present two brief composite vignettes, developed alongside the New Zealand Refugee Advisory Panel. These vignettes offer valuable insights into the significance of reunification and the benefits it brings to individuals, families, and the wider society.

Maria, 39, fled Colombia in 2019 after receiving death threats from guerrilla groups for her work mentoring vulnerable youth. Despite her professional background as a lawyer and social leader, she found herself starting over in New Zealand, seeking asylum and taking cleaning and waitressing jobs while waiting for her refugee status to be recognised over a period of 2 years.

Despite achieving permanent residency in late 2022, her challenges weren't over. Though now able to work as a senior government adviser and contribute professionally, she still faced a key predicament. Maria's longing to reunite with her family echoed every day, deepened by her sense of isolation and the emotional toll of separation. The path to family reunification remained long. When she spoke to other community members who'd applied to bring family members to New Zealand, they said their cases took multiple years. This prolonged wait weighed heavily on her mental health, making it difficult to fully settle or focus on building a new life.

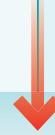
In 2023, Maria survived a major health scare. The strength that got her through this was drawn in part from the hope that one day she could bring her family to New Zealand. Reuniting with her loved ones would provide her with the emotional support and sense of connection she needed to truly feel at home.

Maria's journey underscores the importance of family reunification for refugees. The process provides emotional and psychological healing, empowering refugees to fully integrate into society and contribute to their new country. With her family by her side, Maria would feel complete and able to flourish, both personally and professionally, offering her skills and insights to New Zealand in more meaningful and impactful ways.




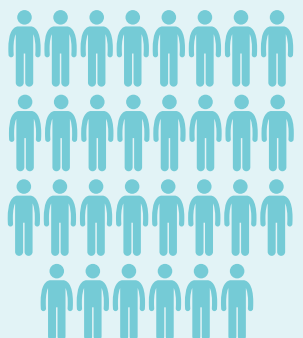


TABLE 1: Where RFSC visas sit within broader Residence Visa types available in Aotearoa New Zealand.²

| | Skilled | | Family | | Humanitarian | | |
|------------------------|--|---|------------------------|---------------------|--|---------------|---------------------------------------|
| | Temporary | Residence | Temporary | Residence | Residence | | Pacific Ballots |
| | | | | | Forced Migration ³ | | |
| Example of visa | Recognised Seasonal Employer scheme; Working Holiday | Skilled Migrant Visa, Investor, Skilled Residence, Entrepreneur | Sponsored Visitor Visa | Partnership; Parent | Refugee Family Support Category (RFSC) | Refugee Quota | Pacific Access Category; Samoan Quota |



Humanitarian Residence Visas – Forced Migration subcategory

| | | | |
|--|---|---|---|
| <p>Convention Refugees (accepted asylum seekers)</p>  <p>184 p.a.</p> | <p>Community Organisation Refugee Sponsorship (CORS)</p>  <p>50 visas p.a.</p> | <p>Refugee Family Support Category</p>  <p>600 visas p.a.</p> | <p>Refugee Quota</p>  <p>1500 arrivals p.a. (+ or - 10%)</p> |
|--|---|---|---|

KEY:  = 50 people

² Drawn from Ministry of Business, Innovation and Employment (2023) Briefing for the incoming Minister of Immigration. November. <https://www.mbie.govt.nz/dmsdocument/28012-briefing-for-the-incoming-minister-of-immigration-proactiverelease-pdf> p.35

³ Forced migration is a term that encompasses all people who have migrated by necessity, not choice. For this report, we refer to all people who came to New Zealand as refugees or due to their links to refugees. For example, not all people sponsored through the RFSC are refugees, all those who are sponsors have been recognised as refugees. The Forced Migration aspect of the Humanitarian intake can be contrasted with the Pacific ballots, which are also considered humanitarian by the New Zealand Government.

2. Refugee family reunification today

As illustrated by Maria’s story, family sponsorship is a high priority for former refugees to feel safe and fully settled. The logic is simple: how can someone feel able to start a new life when the future of their eligible family members remains uncertain? The promise inherent in family reunification is one of hope and stability. Longitudinal data sourced from the Integrated Data Infrastructure (IDI) shows a consistent upward trend in employment and a downward trend in welfare benefit use by this cohort.

The significance of sponsorship cannot be overstated. While the government assists with basic settlement and arrival costs, the responsibility of housing, sustaining support and integrating new arrivals falls largely on the sponsor – often under challenging circumstances. Despite the weight of this commitment family reunification has long been seen as a priority for former refugee communities. Reuniting families restores connections and facilitates successful settlement. Studies consistently show that investing in family is one of the most powerful ways to ensure former refugees can fully thrive in their new lives, making it a valuable social and economic investment.

Some family members who arrive through the RFSC pathway are technically refugees, but many are not. The aim of the visa, when introduced over two decades ago, was to provide a path for New Zealanders of a refugee background to access the same family reunification paths as other migrants while acknowledging the challenges they have with accessing original documentation and sometimes lower financial capacity.⁴ While the number of visas issued every year has increased recently, a confluence of factors means there is now a 6000-person backlog, ten times the size of the annual family reunification intake of 600 people.

A new visa category

Family reunification pathways only became a core part of Aotearoa New Zealand’s refugee settlement system in the 1970s and 1980s as part of the response to the refugee crisis across Indochina. Historian Ann Beaglehole notes that challenges emerged in the 1990s with the expansion of refugee resettlement.⁵ For much of that decade, refugees were expected to use the same family reunification systems as other migrants and only those who showed deteriorated mental health from their lack of family connection could apply under a humanitarian stream.

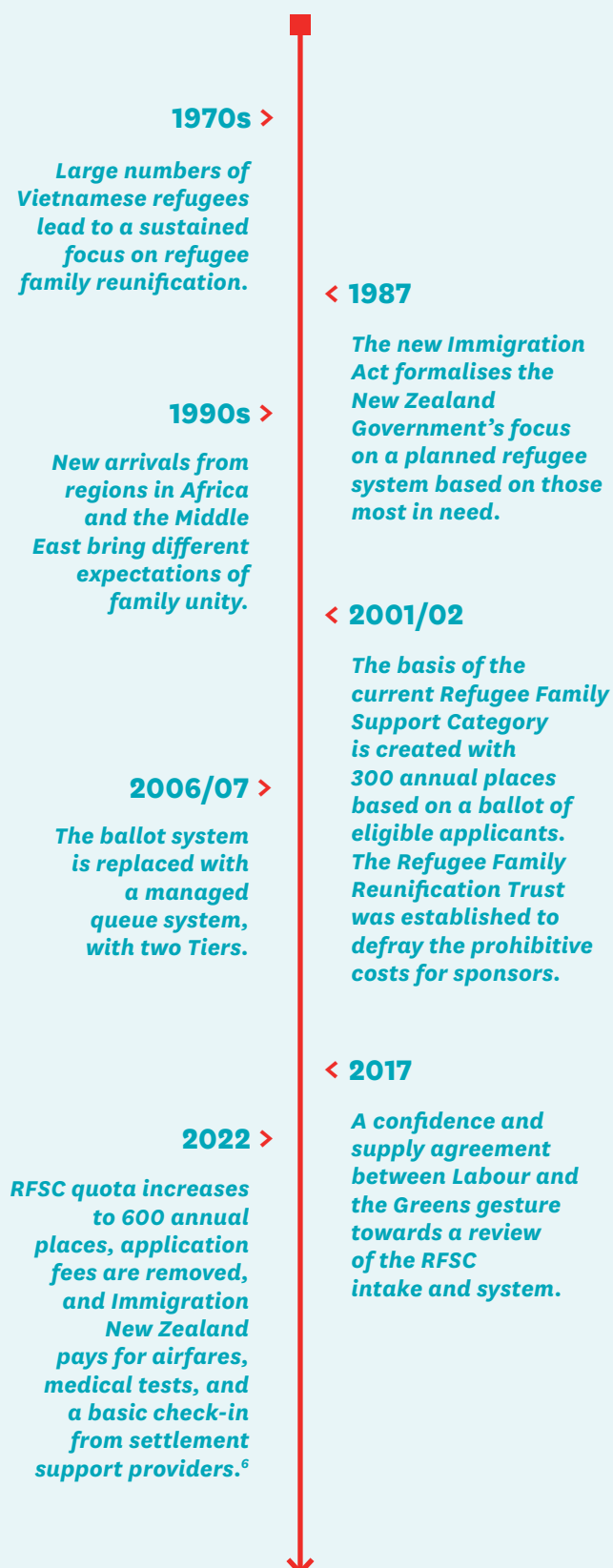


⁴ Similar challenges are documented elsewhere. While section 2 gives examples of these, for more on the documentation challenges and financial challenges in the US, see Haile, A. (2015) The Scandal of Refugee Family Reunification. Boston College Law Review. 56(1) p.288

⁵ There remains a Refugee Quota Family Reunification part of the annual UNHCR mandated quota, but this is limited to immediate family. For more details see Community Law (2024) The Refugee Quota Family Reunification residence category: Family of UNHCR-mandated refugees <https://communitylaw.org.nz/community-law-manual/test/family-of-refugees-special-visa-categories/the-refugee-quota-family-reunification-residence-category-family-of-unhcr-mandated-refugees/>

TABLE 2:

Brief timeline of refugee family reunification



A turning point came in 2002 with the start of the annual RFSC at 300 people per year. For the first five years of the RFSC category, a lottery-based ballot was used, and replaced with a managed queue system in 2007. The managed queue uses a two-tiered approach that prioritises former refugees with no immediate family in Aotearoa New Zealand. Evidence indicates while few people dispute the prioritisation of those with no adult family in the country, some observations, not least from the former refugee community, point to the narrow definition of family.

Twenty years later, 2022 was another watershed year: for the first time in the history of the RFSC programme, flights, medical tests and basic resettlement costs were paid for by the government and the number of visas was increased from 300 to 600 to match the previous increase in the annual UNHCR refugee quota.

⁶ Immigration New Zealand (2022) Changes help more refugee families unite. 4 July. <https://www.immigration.govt.nz/about-us/media-centre/news-notifications/changes-help-more-refugee-families-unite>

The present backlog emerges

The RFSC backlog now comprises over 6000 people in 1400 applications across Tiers 1 and 2. Around 5000 of these people have registered but have not yet been issued an Invitation to Apply.⁷ While some of those registered may not meet the criteria to apply,⁸ this is likely to be due to their circumstances having changed in the seven years since their registrations were made – people move countries, family dynamics change, children are no longer eligible as dependents and in some cases, given the timeframes involved, people die.⁹

TABLE 3: Stages of RFSC from registration to arrival in Aotearoa New Zealand.¹⁰

| Stage | Description |
|---|---|
| Registration | First, eligible sponsors register their intent to sponsor offshore family. While those in Tier 1 are open to registration at any point, Tier 2 has not been open since November 2017. |
| Invitation to Apply | When Immigration New Zealand selects a registration and deems it eligible, they invite the sponsor to apply for a Refugee Family Support Residence Visa. Applicants have twelve months to complete and submit the residence application. People in Tier 1 are prioritised, but even so there is a significant processing time, often well over 12 months, with challenging requests for extra evidence on health and adoption issues. |
| Refugee Family Support Residence Visa Issued | After the Residence Visa is issued, Immigration New Zealand work with families to book flights to Aotearoa New Zealand, approve an accommodation plan and prepare for arrival. Once Residence Visas are lodged, tier distinctions no longer apply. |
| Arrival in Aotearoa New Zealand | On arrival there is a community orientation and, relative to quota arrivals, a limited connection to settlement support. |

One reason for the backlog is supply and demand. When Tier 2 was last opened, across just three days, thousands of new registrations were made. The causes of the backlog today, however, are more complex than pure demand. They include the following five events:

- increases in single refugee arrivals during COVID-19
- an increased allocation of emergency/urgent resettlement from 2022, which is often allocated to single people in some of the most difficult situations¹¹
- lack of family reunification places in COVID-19 years

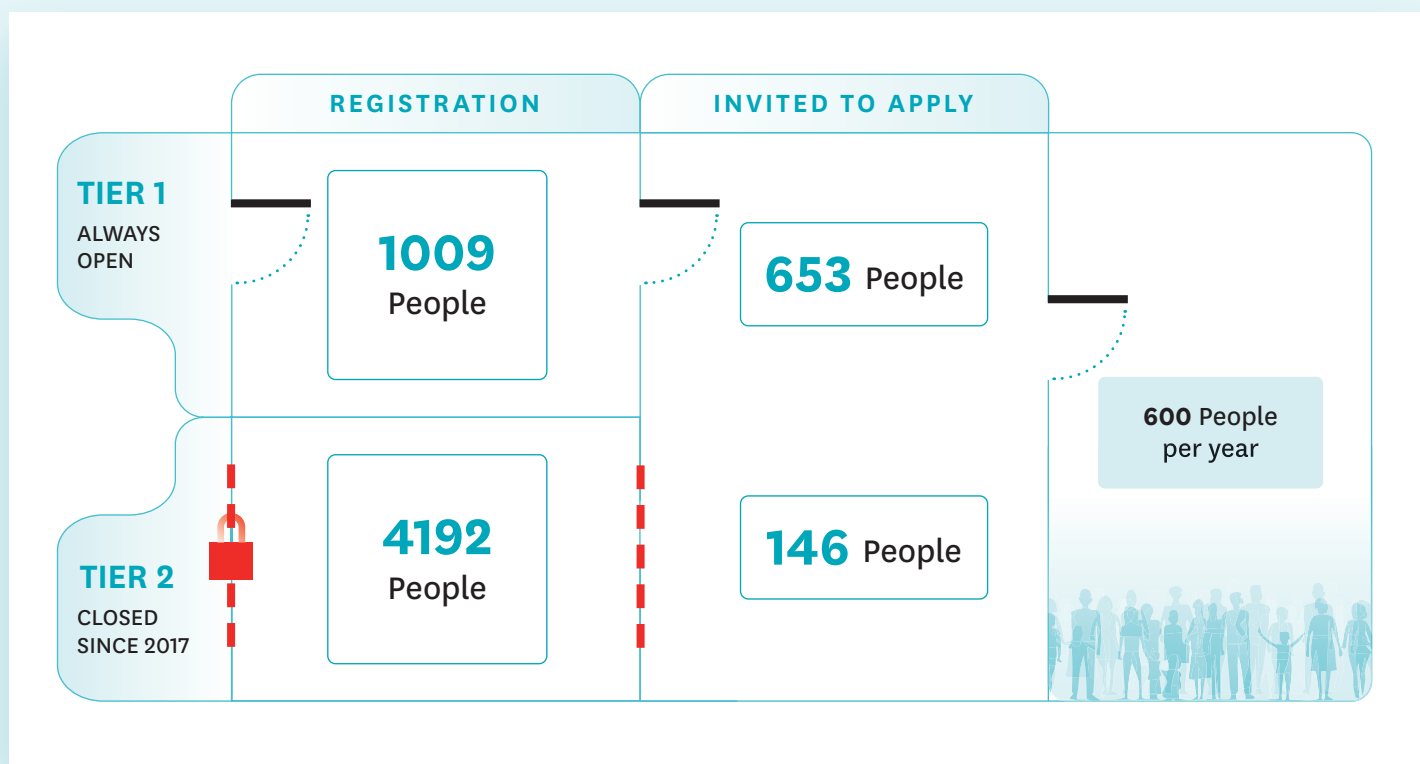
- the opening of RFSC to resettled Afghan Nationals¹² in August 2023 and
- a seven-year staging gap between refugee quota increases (which grew to 1000 in 2016) and the family sponsorship category (which grew to 600 in 2022).

These event-related factors suggest that while the family sponsorship system currently faces a significant backlog, the two-tiered structure may not be irreparably broken. Instead, it highlights the need for targeted adjustments to address these challenges and improve the system’s efficiency.

⁷ For this report we consider people who are registered or who have been issued ITAs as in the backlog. The use of the ITA is a way to slowly feed applications into the official process for residence visa application and there is only (a) resource constraint and (b) the 600 people per annum limit that is keeping eligible registrations from being granted ITAs.

⁸ Everyone in the Tier 2 registration had an initial check to make sure that they were eligible before being added to the queue. See Immigration New Zealand (2017) RFSC Tier 2 FAQs: What happens after I have submitted my registration? <https://www.immigration.govt.nz/documents/refugees/rfsc-frequently-asked-questions.pdf>

⁹ Immigration New Zealand has noted that dependent children of Tier 1 sponsors will no longer ‘age out’ of eligibility for RFSC – that is, if someone is under 25 at the time of application, they are eligible. Immigration New Zealand (2023) Amendment Circular No. 2023-38. 2 October.

TABLE 4: Undecided RFSC registrations and residence visa applications, 31 July 2024.**TABLE 5: Who can sponsor and be sponsored under the RFSC?¹³**

| Category | Who can sponsor? ¹⁴ | Who can be sponsored? |
|---------------|--|---|
| Tier 1 | A former refugee who has no 'immediate family', other than a dependent relative, in Aotearoa New Zealand. | They can sponsor EITHER a parent, grandparent, grandchild, uncle, aunt, nephew, niece, adult sibling or adult child, AND that person's partner and dependent children. |
| Tier 2 | A former refugee who has immediate family in Aotearoa New Zealand. They must have been a resident for 3 years before registering and spent at least half of each year in a 3-year period in the country. | They can sponsor EITHER a parent, adult sibling, adult child, or grandparent (if that grandparent is their guardian), AND that person's partner and dependent children. |

¹⁰ A more fulsome version of this process which includes post arrival settlement can be seen at Immigration New Zealand (2022) Changes to the Refugee Family Support Category. <https://www.immigration.govt.nz/documents/refugees/changes-to-the-refugee-family-support-category.pdf>

¹¹ Expanded from within the 1500 annual places - not in addition. This category grew from up to 35 places per year to up to 100 places per year and people covered tend to be single individuals than the more planned quota. See Immigration New Zealand (2022) 2022/23 - 2024/25 Refugee Quota Programme and 2022/23 Refugee Quota composition. 22 June. <https://www.mbie.govt.nz/dmsdocument/23703-joint-briefing-2022-23-2024-25-refugee-quota-programme-and-2022-23-refugee-quota-composition-pdf> p.10

¹² Immigration New Zealand (2023) New visa pathway for Afghan nationals to bring family to New Zealand. 11 August. <https://www.immigration.govt.nz/about-us/media-centre/news-notifications/new-visa-pathway-for-afghan-nationals-to-bring-family-to-new-zealand>

¹³ For more detail see Immigration New Zealand (2024) Operations Manual. 8 September. <https://www.immigration.govt.nz/opsmanual/>

¹⁴ It is worth noting that if a person's situation changes after their registration has been made, but before a visa is issued, they can be denied the opportunity to reunite. For example, a former refugee cannot get married if they have a Tier 1 application in place because that will lead to them no longer having no immediate family in Aotearoa New Zealand.

Wide agreement on the need for change

There has been general agreement across two Government administrations that the backlog of family reunification places needs to be addressed. For example, at an Education and Workforce Committee in 2024 the Associate Minister of Immigration, Casey Costello said:

I have concerns on a personal basis as to the expectation that is created by being in that category and our ability to meet it. I think there is needing to be some work in that space, and I think we're all open to considerations as to how we could address that and how we could work to resolve that backlog. I have considerable concerns about how long people are sitting there and how we can look to change some settings to address that.¹⁵

Casey Costello, Associate Minister of Immigration

At the same select committee, Labour's Immigration spokesperson, Phil Twyford asked Associate Minister Costello if she accepted the backlog would take ten years to be cleared. In response, Costello drew from Immigration New Zealand advice to estimate that it would take eight years to clear the backlog if there were no new applicants.¹⁶

Immigration New Zealand has also noted the "heavy oversubscription of the RFSC" as one of the key issues facing the RFSC in the Briefing for the incoming Minister of Immigration.¹⁷ Similar sentiments were shared by the previous Minister of Immigration, Andrew Little, when, in response to opening the RFSC to resettled Afghan Nationals, he recommended "work is undertaken on whether a further increase to the annual places (which

recently doubled from 300 to 600) under the RFSC is warranted."¹⁸

Similarly, the forced migration and former refugee sector are also advocating for the backlog to be addressed. A recent survey of members of the Refugee Alliance (a coalition of 40 NGOs, community groups and their allies who work in service of Aotearoa New Zealand's former refugees) noted the delays in family members arriving was one of three key priority area for their advocacy work in 2024-2025. Similarly, key sector individuals, such as the Refugee Family Reunification Trust's Chairperson,¹⁹ Amanda Calder, have strongly advocated for reform.²⁰

¹⁵ Costello, C. (2024) *Vote Labour Market (excluding the appropriation related to border support services) – Immigration appropriation*. Hansard transcript: Education and Workforce Committee. 18 June. https://www.parliament.nz/resource/en-NZ/54SCEDUW_EVI_4ad20062-ffec-4b3d-1f71-08dc8417a870_EDUW995/ea2c20d575429972b666035186adcc7de2dcc42 p. 23

¹⁶ This timeframe implies advice projecting that 20% of registered sponsors or families would not be eligible or able to progress their registration through the entire process. see Costello, C. (2024) *Vote Labour Market (excluding the appropriation related to border support services) – Immigration appropriation*. Hansard transcript: Education and Workforce Committee. 18 June. https://www.parliament.nz/resource/en-NZ/54SCEDUW_EVI_4ad20062-ffec-4b3d-1f71-08dc8417a870_EDUW995/ea2c20d575429972b666035186adcc7de2dcc42

¹⁷ Ministry of Business, Innovation and Employment (2023) Briefing for the incoming Minister of Immigration. November. <https://www.mbie.govt.nz/dmsdocument/28012-briefing-for-the-incoming-minister-of-immigration-proactiverelase-pdf> p.16

¹⁸ Ministry of Business, Innovation and Employment. (2023) Extending the Refugee Family Support Category to Afghan evacuees. 15 September. <https://www.mbie.govt.nz/dmsdocument/27561-extending-the-refugee-family-support-category-to-afghan-evacuees-proactiverelase-pdf>

¹⁹ A charity founded in 2001 to financially assist refugees who are reuniting with their families.

²⁰ Johnstone, Tess. (2018) 'How do you settle when your loved ones are in danger?' The Spinoff. 2 June. <https://thespinoff.co.nz/parenting/02-06-2018/how-do-you-settle-when-your-loved-ones-in-danger>

Benefits of family reunification

Analysis by the Centre for Asia Pacific Refugee Studies found that of all forced migration categories, only those arriving through the RFSC saw continued improvement in employment and income outcomes since the visa category was created.²¹ Figure 1, below, illustrates year-by-year data for working age RFSC residence visa holders and shows significant increases in main wages coming from employment or self-employment, as well as a corresponding decrease in benefit access.²²

Another Aotearoa New Zealand study found over 90% of former refugees no longer required mental health support when they were reunited with at least one family member.²³ These studies evidence a compelling link between investment in timely access to family reunification and decreased reliance on welfare and mental health support services.

FIGURE 1: Proportions of RFSC with main source of income from Wages, Salaries and Self Employment, and Welfare benefits by years from arrival.²⁴



21 Marlowe, J., Malihi, A. Z., Milne, B., McLay, J., & Chiang, A. (2023). Settlement trajectories of nearly 25,000 forced migrants in New Zealand: longitudinal insights from administrative data. *Kōtuitui: New Zealand Journal of Social Sciences Online*, 19(1), 21-44. <https://doi.org/10.1080/1177083X.2023.2214606>

22 It is also worth noting that this data is only for people aged between 16-64 on arrival, and employment outcomes for those under 16 are likely to be significantly higher than this, especially when matched with the main population and youth unemployment rates are taken into consideration.

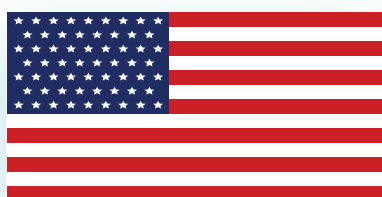
23 Choumanivong C., Poole, G. & Cooper, A. (2014). Refugee family reunification and mental health in resettlement. *Kōtuitui: New Zealand Journal of Social Sciences Online*, 9:2, 89-100. <https://www.tandfonline.com/doi/full/10.1080/1177083X.2014.944917>

24 Extrapolated from data in Marlowe, J., Malihi, A. Z., Milne, B., McLay, J., & Chiang, A. (2024). Settlement trajectories of nearly 25,000 forced migrants in New Zealand: longitudinal insights from administrative data. *Kōtuitui: New Zealand Journal of Social Sciences Online*, 19(1), 21-44. Note: the data available from IDI covers 25,000 visa decisions, however not every person has all their data captured so these figures do not add up to 100%. Reasons for this, other than incomplete data, might be that people's income comes from sources other than those listed such as interest. Note that the data points diminish in number, the greater the number of years considered. That is, only one cohort's worth of data is represented in the final year of the graph, while the first year contains the data from all cohorts.

International approaches to family reunification

Visas tied to family sponsorship helps Aotearoa New Zealand meet a wide range of international legal and human rights obligations around the unity of the family. Article 12 of the Universal Declaration of Human Rights, for example, states “No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks upon his honour or reputation. Everyone has the right to the protection of the law against such interference or attacks.”²⁵

Although the right to seek refuge is an individual human right, it has been a longstanding UNHCR position that the individual refugee should not be seen in isolation from their family and that there is a right to family unity.²⁶



In the United States, refugee family reunification options include I-730 visas given to spouses and children, but there are few options for extended families. Refugees are also allowed to apply for priority “P-3” resettlement through an annual quota.²⁷



In Canada, there are two main approaches: the first more or less mirrors the US approach of a spouse and dependent child being welcomed if identifying their relationship in the first year of entry; secondly, due to the naming feature on community sponsorship scheme any relative or friend can be sponsored if they are in the state of being a refugee or are in refugee-like conditions.²⁸



Former refugees in Australia also struggle to use regular migrant pathways to access family reunification due to prohibitive costs. While the government offers limited opportunity for families’ reunion via visas in its settlement programme’s offshore humanitarian component, this system is not without problems. For example, the cost involved in applying for this kind of visa is high while the waiting period before issue stretches out and only some relatives qualify. As with Aotearoa New Zealand, the Australian community sponsorship programme, CRISP, initially excluded family members from sponsoring one another, though this was reformed in 2021, providing the option of family-linked community sponsorship.²⁹

25 See Starr, S. & Brilmayer, L. (2003). Family Separation as a Violation of International Law. *Berkeley Journal of International Law*. 21. https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=3442&context=fss_papers; Jastram, K. & Newland, K. (2003). Family unity and refugee protection. In *Refugee Protection in International Law: UNHCR’s Global Consultations on International Protection*, Feller, E., Türk, V., & Nicholson, F. (eds). The importance of a family as a whole unit is also outlined in commentary on Article 23 of the International Covenant on Civil and Political Rights (ICCPR) and extending this access to as wide as possible definition of the family is included under the International Covenant on Economic, Social and Cultural Rights (ICESCR).

26 United Nations High Commissioner for Refugees (1999). *Protecting Refugees: a field guide for NGOs*. <https://www.refworld.org/docid/3co3682d4.html>

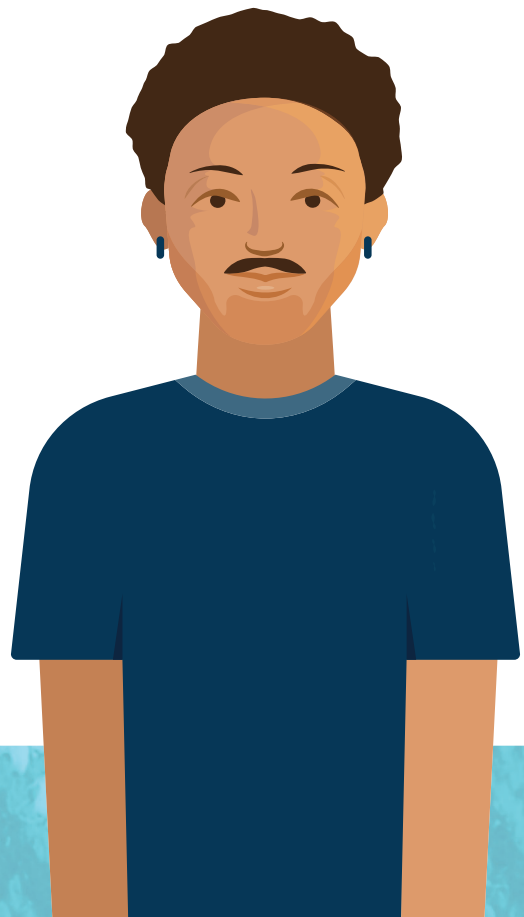
27 UNHCR (2024) U.S. Family Reunification. <https://www.unhcr.org/us/what-we-do/resettlement-united-states/u-s-family-reunification>

Hassan's journey: a story of resilience and family reunification

Hassan arrived in New Zealand as an 18-year-old LGBTIQ+ quota refugee from Afghanistan, fleeing conflict, persecution, and family violence. Though New Zealand provided safety, the isolation and exclusion he faced as a young, queer refugee took a significant toll on his mental health. The trauma of being separated from his family weighed heavily on him, amplifying the emotional struggles of starting over in a new country alone.

Despite these challenges, Hassan was determined to reunite with his mother and younger sister. Balancing part-time studies at university with two jobs, he worked relentlessly to sponsor them through the Refugee Family Support Category (RFSC). The financial strain and the complexity of the process compounded his already fragile mental health, but Hassan's resolve remained unwavering.

After years of perseverance, Hassan finally succeeded in reuniting with his family. The relief was immediate—no longer shouldering the weight of isolation and fear for his family's safety, his mental health and well-being improved. With his loved ones by his side, he secured full-time employment as a skilled lab technician in the dairy industry and regained a sense of stability. Family reunification didn't just bring healing—it gave Hassan the strength and support to thrive, enabling him and his family to fully participate in New Zealand society.



28 Some studies cite up to 95% of Canadian private sponsorship since 2002 having some family link, though it is worth noting that many of these studies cite studies that cite studies and there has been little recently published with the actual percentage on family linked cases. Nevertheless, this large number does indicate a significant role for family reunification in ensuring the long-term viability of the community sponsorship system. See Krause, M. (2020). Understanding the evolving nature of refugee sponsorship in Canada: A preliminary investigation into the rise of family-linked sponsorships. Canadian Refugee Sponsorship Agreement Holders (SAH) Association. <https://resettlement.plus/2024/04/12/summary-of-understanding-the-evolving-nature-of-refugee-sponsorship-in-canada-a-preliminary-investigation-into-the-rise-of-family-linked-sponsorship/>

29 Refugee Council of Australia (2021) Australia finally gets the refugee sponsorship model the community wants. 17 December. <https://www.refugeecouncil.org.au/australia-finally-gets-the-refugee-sponsorship-model-the-community-wants/>

3. Family reunification options

Speaking to the uncertainty and strain faced by Maria and Hassan, in this section, we present options for addressing the backlog in family reunification and creating long term balance in the system. By long-term balance, we refer to achieving greater alignment between the number of individuals eligible for family reunification, through available residence visa pathways, and the number of accessible places allocated for them. While we acknowledge that external factors may contribute to future backlogs, the options presented look to create a more sustainable, fair and responsive system.

For each option, we describe operational considerations to describe the implications of a policy change. One key consideration is cost. Many of the options will incur one-off or ongoing costs, although we consider this commitment

justifiable given the current situation. While we do not have exact costings, we can point to the estimated 2024-25 FY budget of NZD\$7.557m for 600 RFSC arrivals.³⁰ As economist, Shamubeel Eaqub has argued, any cost-benefit analysis ought to ensure the long-term economic benefits of reuniting families are also considered alongside the costs.³¹ In the humanitarian migration space, only short-term economic costs tend to be considered. A more accurate approach would balance these short-term costs with medium, or possibly even, long-term economic benefits.

The options presented can be implemented individually or in combination. For example, *Clear the backlog* could be pursued alongside *Increase the RFSC* either at the same time or in a staggered manner.

TABLE 6: What impact would policies have on the backlog and balance?

✓ addresses a majority of issues — reduces pressure but may not provide a solution ✗ maintains current challenges

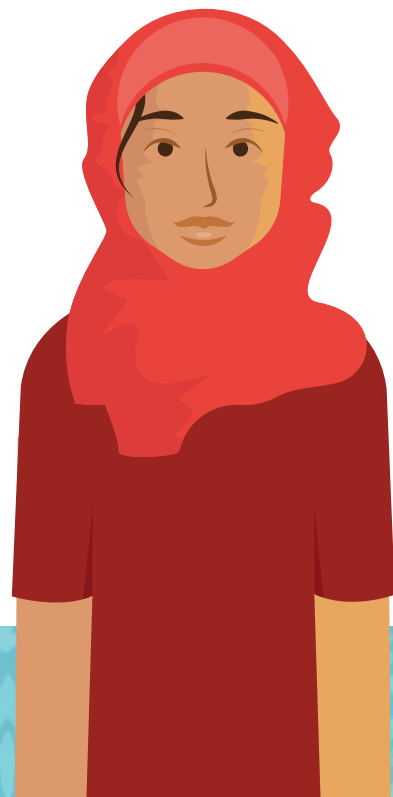
| Options | Address backlog | Long-term balance |
|--|-----------------|-------------------|
| Option 1: Clear the backlog | ✓ | ✗ |
| Option 2: Increase the RFSC | — | ✓ |
| Option 3: Focus on family readiness and eligibility | ✓ | — |
| Option 4: Link communities to families through sponsorship | — | — |
| Option 5: No change | ✗ | ✗ |

| | |
|---|--|
| <p>Who is included as family?</p> | <p>This is not a new issue, as discussed in Ann Beaglehole’s <i>Refuge New Zealand</i> though nor is it an issue that we should attempt to resolve in a report focused on options to fix an already existing backlog. There remains significant dissatisfaction in the sector with who can and cannot sponsor and be sponsored through the RFSC. Everyone who we spoke to in the sector said that they would welcome dialogue on who can sponsor and be sponsored through family reunification.</p> |
| <p>Can the two-tiered system function?</p> | <p>We have heard a range of views about whether the existence of Tier 2, when the current system is oversubscribed, is creating false hope for resettled people. Tier 2 has only opened twice – in 2012 and 2017 – and those we consulted with said it was a chaotic three days for the sector, on both occasions. The current system, notwithstanding the overdue increase in RFSC places in 2022, has been overburdened by the five events noted in 2, above. Our view is that the system does need urgent attention to function well.</p> |

While we put forward these options, we also want to raise two issues regularly cited by the experts and community members who we consulted with:

- how family is defined, and
- whether the Tier 2 system can work.

These options would make a tangible difference to the lives of people like Hassan and Maria who find themselves resettled but not reunited. Our view is that former refugees and experts in the sector should be consulted on these points. From our research they are widely seen as one of the top priorities needing attention for all their member communities.



30 Immigration New Zealand (2022) Report back on the policy proposals to implement the “Improving the System for Refugee Family Reunification” initiative and to drawdown the tagged contingency. 21 February. <https://www.mbie.govt.nz/dmsdocument/18717-report-back-on-the-policy-proposals-to-implement-the-improving-the-system-for-refugee-family-reunification-initiative-and-to-drawdown-the-tagged-contingency-proactive-release-pdf>

31 Goodwin, E. (2015) Narrow focus of refugee debate decried. Otago Daily Times. 8 September. <https://www.odt.co.nz/news/dunedin/narrow-focus-refugee-debate-decried>

Option 1: Clear the backlog

Temporarily boost the intake to clear the 6000-person backlog, ensuring families are not left in indefinite waiting periods.

Clears the backlog

Does not achieve balance

Background

Clearing the backlog of family sponsorship registrations in the RFSC is the most direct approach to resolving the significant wait times facing families. Our view is that it would not be possible to do this within one year. We suggest an operationally practical approach of temporarily increasing the annual number of visas issued from 600 to 1500 for four years.

With many families already enduring waits of up to seven years in a queue with no end in sight, those waiting in the backlog may well be justified in claiming delays are a breach of natural justice. No one should have to endure such an extended delay. These delays are particularly difficult as they concern people reuniting after being separated by war and persecution.

A firm commitment to clear this backlog within this time limited window would reset the system, offering much-needed relief and certainty to those waiting. However, while this approach addresses the immediate backlog, it does not ensure long-term balance.

Implementation

To clear the backlog within this short time frame, Immigration New Zealand would need to process between 1500 and 2000 people per year, depending on estimates and new registrations.³²

Clearing the backlog would require comprehensive planning and coordination across all aspects of the process. Key organisations, in addition to Immigration New Zealand, to include in this work are settlement support providers,³³ Community Law and other groups who assist with applications. Additionally, resettled community groups also play a crucial role in supporting sponsors and their families through the often-challenging aspects of reunification in settlement contexts. Engaging all these stakeholders in a cohesive and connected strategy is a critical component to successfully implementing this option.

At the same time, another policy is needed to ensure the backlog does not re-emerge when Tier 2 is reopened. The first step for such an approach would be for Immigration New Zealand to conduct a detailed analysis based on recent Quota arrivals and Convention refugees, to ascertain how many families would be eligible to sponsor.³⁴

³² See section 2 for some discussion on how many people Immigration New Zealand has estimated might be eligible from current registrations and people with an Invitation to Apply.

³³ New Zealand Red Cross, for example, currently receive funding for 0.5FTE to facilitate basic settlement of all RFSC arrivals in Wellington.

³⁴ This survey would likely be partial as there are many unexpected circumstances of people not being eligible and becoming eligible for Tier 1, for example, in the case of a divorce or the death of the one present family member.

Option 2: Increase the RFSC

Permanently expand the current annual intake of 600 sponsored places to 900 to create long term balance.

Slowly reduces backlog

Could achieve balance

Background

Increasing the number of places available through the RFSC offers a gradual solution to reducing the backlog. If implemented at a measured level, it would also go a long way to achieving long-term balance.

For example, permanently increasing the RFSC from 600 to 900 residence visas per year would provide ongoing additional places beyond the number of new annual registrations, thereby gradually reducing the backlog and improving long term balance. As noted earlier, the Refugee Alliance is advocating for an increased quota of 900 places per annum, using the existing Tier 1 and Tier 2 model.

Implementation

Research would be required to ascertain the level of increase of residence visas needed to create long term balance. That research should assess:

- the expected number of new registrations if Tier 2 is reopened;
- whether an increase to 900 places would adequately address both the backlog and new registrations.

If this option is implemented alone, there will still be substantial delays in Tier 2 which undermines the good settlement of existing former refugees in Aotearoa New Zealand and may lead to reputational damage to our humanitarian standing.

Option 3: Focus on family readiness and eligibility

Shift away from rigid annual intake caps to allow sponsors who are ready and eligible to proceed without unnecessary delays.

Clears the backlog

May achieve balance

Background

The primary tool that the New Zealand Government uses to manage the RFSC is an intake cap of 600 visas per year. This limit aims to balance community demand with the government’s willingness to provide a humanitarian pathway. In addition to this cap, there are three other ways that the number of people being sponsored are currently restricted:

- Sponsorship restrictions: Each family can only sponsor once, and each application can only include a primary applicant, their partner and dependent children.³⁵
- Financial burden: The costs borne by the sponsor of welcoming family and paying for their housing are significant.
- Eligibility constraints: only former refugees – quota refugees and asylum seekers – are eligible to sponsor, limiting the pool of potential sponsors.

Given these limits, an alternative RFSC option would be to move the focus to the readiness of the family to sponsor. That is, a new balance could then be achieved through an open application process that uses only the existing limit of one sponsorship per family, as it currently stands, and the associated costs.³⁶

In practice, this would mean it is up to the sponsor when they want their application to be processed. As with the status quo, there is only one sponsorship per family. The primary benefit of this approach is that it removes an artificial constraint that leads to lengthy and indeterminate queues and a mismatch between expectations and reality.

Implementation

This option may cause a large, short-term increase in applications, however the increase could be managed if this option were introduced in phases following Option 1 Clear the Backlog. The total number of people sponsored per year would balance out over time, achieving the goal of avoiding the harms created of a new backlog.

This approach would lead to a significant increase in applications, particularly in the short term. That increase would lead to less predictable numbers arriving to Aotearoa New Zealand and settlement and community service providers would need to be bought along with the changes.

Given Tier 2 has been closed for seven years, reopening it would likely result in a significant influx of applications in the first year of operations, potentially overstressing Immigration New Zealand’s processing capacity. The uncertainty of the annual costs for an RFSC based on these other limits may also prove politically challenging, though would balance out over time.

³⁵ See Immigration New Zealand (2024) Operations Manual S4.10.50 a, which reads, “Sponsors must have only one registration in the tier one or two queues at any time. Each registration must be in respect of one potential principal applicant and that person’s partner and/or dependent children. If a single sponsor lodges more than one registration, the second and subsequent registrations will not be accepted.”

³⁶ In line with the current approach of sponsoring a family member, their partner and any dependent children. See the text box at the start of this section on the need for former refugee and sector discussion on how family is defined, both in terms of sponsors and who is sponsored.

Option 4: Link communities to families through sponsorship

Create a pathway where community organisations can play a larger role in reunification, leveraging existing infrastructure and wider community support to enhance integration.

Slowly reduces backlog

Contribution to balance

Background

The backlog in family reunification could be alleviated by leveraging community sponsorship. In the past ten years pathways for refugee protection that complement the existing UNCHR refugee quota have received significant attention. The two main forms of complementary pathways in Aotearoa New Zealand are family sponsorship (via RFSC) and the newer community organisation refugee sponsorship (CORS) - see Table 1 earlier in this report for their relative sizes.

The design of the existing CORS pilot means that anyone eligible for family reunification is automatically *ineligible* for community sponsorship.³⁷

The reason for this mutual exclusion is that a family sponsorship pathway exists and is the appropriate path for people with a family link. However, as widely recognised within the sector and government, Tier 2 of the RFSC is not functioning as an effective pathway.

This exclusion results in the strange situation where a group of former refugees could form an organisation to use the community sponsorship system to sponsor a friend, but not a sibling.

This second community sponsorship pilot concludes on 30 June 2025. A government review of this pilot will occur in 2025-2026 providing short-term data on how well the programme has met its initial aims.

We see an opportunity to address the challenges faced by refugees being reunited with their families by allowing families and communities to partner for shared sponsorship. One option would be for Aotearoa New Zealand to augment family sponsorship places with an *additional* 600 community sponsored

places. This approach could incentivise families to partner with community organisations, potentially improve settlement prospects, and relieve substantial pressure from the system.

If implemented effectively, this option could be a win-win for family and community sponsorship - where the burden on individual former refugee sponsors is alleviated, while their connection to the sponsored person allows for stronger grounding in the community.

Family sponsorship linked to community sponsorship could be guided by one or more umbrella organisations to ensure that there is a fair and transparent approach and a genuine meeting of goals. Prioritising community and family within this option would ensure new arrivals benefit from an extra, dedicated form of support.

Implementation

This option could help reduce the RFSC backlog and alleviate pressure from long-term demand. The extent of the success of such a merger would depend on an expansion of the CORS programme numbers. At the current number of 50 people per year, the impact on the RFSC backlog and demand would be minimal. In addition, there could be pressure from families on sponsoring organisations to prioritise their family members, which would need careful management by the CORS umbrella organisation. As a way of addressing the RFSC backlog and ensuring balance, this method is indirect and would require targeted messaging to the community regarding eligibility criteria.

³⁷ S4.25.10 of the Immigration New Zealand Operating Manual notes that a person cannot apply if a person "is eligible to be sponsored for residence under any other family category, including the Refugee Family Support Category" Immigration New Zealand (2024) Operations Manual. <https://www.immigration.govt.nz/opsmanual/#68899.htm> The reverse is also true: Community Sponsored Refugees are currently ineligible to sponsor family members to Aotearoa New Zealand under the RFSC.

TABLE 7: Who can sponsor and be sponsored under the CORS pilot?³⁸

| Who can sponsor? | Who can be sponsored? |
|--|--|
| <p>Eligible community organisation sponsors must, among other considerations, be:</p> <ul style="list-style-type: none"> ▪ a legal entity with the financial resources to provide settlement services to sponsored families for two years; ▪ have experience working successfully with the wider community, as well as refugees or other vulnerable people; and ▪ be able to organise suitable accommodation, and support refugees and into work. | <p>The principal applicant must be a registered refugee. They can either be nominated by the sponsor or identified by UNHCR. The principal applicant must:</p> <ul style="list-style-type: none"> ▪ be aged between 18 and 45 years old; ▪ have good English and either three years’ work experience or a two-year tertiary qualification; ▪ meet health and character requirements; and ▪ not be eligible to be sponsored through any family category, including the Refugee Family Support Category. |

Option 5: No change

Does not address backlog

Imbalances remain

Background

The option of maintaining the current RFSC settings does not address the existing backlog and will perpetuate long term imbalances in the system. As new Tier 1 registrations continue to be processed, those already waiting for seven years will see further delays to family reunification. This ongoing backlog and imbalanced system threaten to undermine the standing of New Zealand’s humanitarian commitments and the goodwill that should accompany this special pathway.

Thousands of New Zealanders from refugee backgrounds, who registered in Tier 2 in 2017, will continue to wait. Under this option, for many it will be more than a decade before they are given the chance to reunite with their families. This wait will lead to negative outcomes for those former refugees already in Aotearoa New Zealand, and the compounding economic benefits of united families will be inevitable.

Implementation

During a recent Education and Workforce Committee, the Associate Minister of Immigration noted three main reasons for opting against making changes to the RFSC intake: budgetary constraints, housing issues, and the pressure on the settlement system due to an increase in arrivals. These concerns, while valid, must be balanced against the pressing need for reform to ensure that families can be reunited and supported in their new lives. Without intervention, the status quo will continue to inflict harm on vulnerable populations and the integrity of New Zealand’s refugee policies.

4. Looking forward

In this report, we affirm that Aotearoa New Zealand's refugee family sponsorship system can return to a balanced state. Statements from across the political spectrum, and from Immigration New Zealand, show that the problem is not a lack of understanding, but rather a need to collectively settle on a solution. To achieve this, there must be a clear plan to address the backlog which has built up over the past seven years. Reducing the backlog and achieving balance would make a material difference to the lives of people like Maria and Hassan. Not only would it improve their lives and those of the people they sponsor, but it would enhance their ability to participate in wider society.

The evidence shows that increasing paths for family reunification has a positive impact on the mental health of former refugees and significantly reduces the need for specialised support. At the same time, the family support cohort has the most positive employment trajectory of all forced migration categories. If measured holistically these benefits make for a compelling case for improved family sponsorship.

As highlighted throughout this report, there is clear and widespread agreement as to the problems of the backlog and the imbalance caused. We have used composites to illustrate what these challenges mean in people's day to day lives.

Looking forward, we encourage the Government and Immigration New Zealand to urgently engage with former refugees and resettled communities to find a pathway ahead, whether it expands on the options presented here or finds alternative pathways for reform. There is substantial sector goodwill to help address the currently strained family sponsorship system and such engagement would be welcomed.

Aotearoa New Zealand holds a responsibility to those already registered for family sponsorship, especially for people who have been waiting seven years since Tier 2 was last opened, and with no resolution in sight. In addition, to those registered, Tier 2 sponsors have been unable to access family reunification since 2017. The backlog has created uncertainty for all. The options provided in this report offer viable pathways to addressing this challenge and reaffirm the fundamental right of families to be reunited.

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