An Assessment of New Zealand's Approach to COVID-19 Border Security

By Nicholas Dynon

Synopsis

New Zealand’s government has been widely lauded for the efficacy of its “go hard, go early” approach to eliminating COVID-19. In terms of the border, this approach involved the closure of New Zealand from 19 March 2020 to all but returning citizens and residents, and mandatory 14-day managed isolation and quarantine. Although measures have been largely effective, several breaches at Managed Isolation and Quarantine (MIQ) facilities, including returnee ‘escapes,’ have raised concerns over border security measures. This led a number of experts to question an over-reliance by Wellington on MIQ facilities as a border security measure, the lack of mandated pre-travel COVID screening, and the absence of a proportionate risk management approach to preventing COVID infiltration from high-risk source countries. This essay argues that the ‘domestication’ of the border into 32 post-arrival MIQ hotels across New Zealand is at odds with Wellington’s established approach to ‘off-shoring’ border risk, and that the ongoing COVID response would be well served by government taking greater inspiration from its pre-existing risk-based and security in-depth approaches to border management.
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About the Author

Nicholas Dynon, based in Auckland, is Chief Editor of security sector publications New Zealand Security Magazine and Line of Defence Magazine. He previously served 14 years with Australia’s Department of Immigration and Border Protection in Canberra and Sydney, and in Shanghai (2005-2008) as Vice Consul, and Beijing (2008) and Suva (2009-2012) as First Secretary. Nicholas holds an M.A. in Asian Studies from the Australian National University and a Master of International Studies with Honours from the University of Sydney. A former commissioned officer in the Australian Army, he is a graduate of the Royal Military College of Australia. His China and New Zealand focused research has been published in several peer-reviewed journals, and he sits on the editorial board of Massey University’s National Security Journal.
New Zealand’s government has been widely lauded for the efficacy of its ‘go hard, go early’ approach to eliminating COVID-19. At the border, this approach involved a restriction on travel from China from 2 February 2020, followed from 19 March by the closure of New Zealand to all but returning citizens and permanent residents and their partners and children, and mandatory 14-day managed isolation and quarantine. Since then, New Zealand’s 32 metropolitan hotel-based Managed Isolation and Quarantine (MIQ) facilities have become the focus of New Zealand’s COVID border strategy, becoming both a key control against community transmission and – ironically – a key source of community transmission risk.\(^1\)

A spate of returnee escapes from MIQ facilities in mid-2020 called into question the efficacy of the managed isolation model. It was likely an MIQ border failure that resulted in an Auckland COVID cluster involving 179 cases and three deaths in August – one of two failures that forced the city into lockdown on three occasions.\(^2\) The government responded by deploying several hundred New Zealand Defence Force (NZDF) personnel to the sites and announcing a raft of enhanced electronic security and surveillance measures. While these enhancements were welcomed, several experts pointed to the lack of mandated pre-travel COVID screening, the absence of a proportionate risk management approach to preventing COVID infiltration, and a resulting over-reliance by Wellington on MIQ facilities as a border security measure.

These criticisms highlighted the curious fact that New Zealand’s COVID border strategy was seemingly at odds with the country’s existent approach to immigration and border control, which traditionally involves risk-based decision making and a preference to managing risk offshore as opposed to at the border itself. This essay argues that the border management aspects of the COVID response have eschewed this approach in favour of one that until early 2021 was (i) agnostic to source countries’ varying levels of COVID risk; and (ii) devoid of pre-departure COVID checking measures.

Risk Management

The management of human movement through New Zealand’s international borders is the responsibility of Immigration New Zealand (INZ), an agency within the Ministry of Business, Innovation and Employment (MBIE). INZ is one of a number of ‘border agencies’ along with New Zealand Customs, Ministry of Primary Industries, New Zealand Police, and others. According to a report by Controller and Auditor-General published in 2017, there exists good levels of collaboration between agencies at the border, albeit with some information sharing gaps.\(^3\)

COVID has presented unprecedented policy challenges. The pandemic activated the government’s National Security System, with the Ministry of Health as lead agency for the COVID response, and MBIE responsible for MIQ. A Border Sector Governance Group (BSGG) made up of border agency chief executives that was established in 2007 to improve information sharing and the targeting of risk at the border was updated in June 2020 in response to COVID with a stronger mandate. There have been a number of reviews since the onset of the pandemic, as a result of which new measures have been rolled out in response to a rapidly evolving information picture.

Like other border agencies, INZ applies a risk managed approach to managing the movement of people through New Zealand’s borders. It has long deployed risk-based policy and processing models to its assessment of visa applicants and persons seeking entry upon arrival (non-New Zealand citizens). This involves allowing entry only to persons who have been granted an appropriate visa, Electronic Travel Authorities (NZeTA) or other permission as a result of assessment against a range of bona fides, health and character requirements. Depending on the type of visa applied for, there may be more extensive requirements or checking in relation to applicants from locations that present greater risk. In terms of health requirements, this means that chest x-ray are required from those who have been living in a country that does not have a low incidence of tuberculosis; women

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over 45 may be required to have a physical breast examination; and applicants for Recognised Seasonal Employer Limited Visas from countries where there are risk factors for HIV must undergo a medical examination.\(^4\)

In other words, there are more stringent requirements on visa applicants who present a greater potential risk. Yet, up until early 2021, the approach taken to the border risk posed by COVID was one-size-fits-all and devoid of measures proportional to the risks posed by the varied pandemic situations in source locations.

In a September 2020 article, former Lincoln University professor Keith Woodford recommended a nuanced risk-based approach to entry at the border.\(^5\) "It is very clear that the risks associated with people from some parts of the world are many times greater than those coming from some other regions such as Australia and most of the Pacific Islands," he wrote. "Restrictions on people entering New Zealand have to be proportional to the specific risk."

This was echoed several weeks later in an article by Otago University professors Nick Wilson and Michael Baker, who proposed a ‘traffic light’ system for travel to New Zealand, including (i) quarantine-free travel (with precautions) for travellers from locations where COVID-19 has been eliminated; (ii) quarantine and testing for travellers from locations where COVID is well controlled; and (iii) additional pre-travel measures or no travel for locations with uncontrolled pandemic spread.\(^6\)

"Such measures add to the burden these travellers face, but can be justified," they wrote. "They reduce the risk of outbreaks on incoming aircraft as well as the load on the isolation/quarantine facilities."

**Security in depth**

New Zealand’s risk-based approach to border management relies on ‘security in depth’. Via pre-flight processes and systems, such as offshore visa applications, NZeTAs, the collection of biometric information and Advanced Passenger Processing (APP), INZ effectively pushes New Zealand’s border controls well beyond its shores and at least as far back as the last port of embarkation. It’s a ‘layered security’ approach that seeks to assess risk, flag issues and make decisions well before a passenger checks into a New Zealand-bound plane – and well before they pass through the New Zealand border.

“If a passenger is identified as presenting a risk, they are prevented from boarding the plane,” states the aforementioned report by the Controller and Auditor-General. “This is more efficient than dealing on arrival with passengers who pose a risk.”\(^7\)

Apart from closing the border to all but ‘exempt’ persons, the New Zealand Government decided not to implement a ‘pre-departure’ border control approach in relation to COVID. Among FAQs on its website, in answer to the question “Why don’t we require exit testing for those coming into New Zealand?”, the Ministry of Health stated until relatively recently that it didn’t believe pre-departure testing was effective on its own. “You could still have COVID-19, even if you test negative for it.”

This was despite several countries requiring a clear test prior to a passenger departing their border to travel elsewhere, and others requiring travellers to provide extensive health and contact information prior to entry. Many airlines had also started requiring their passengers to undertake temperature screening and/or produce a clear COVID test prior to their flight, and some even offering pre-flight testing services.

For the duration of 2020 at least, New Zealand’s COVID border measures – apart from the closure to those other than citizens and permanent residents – were constituted by a range of ‘post-arrival’ controls. At odds with the pre-existing imperative of ‘offshoring’ border risks, it could be said that the MIQ arrangements represent an episodic ‘domestication’ of border security arrangements.

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Indeed, by late 2020, thinking was starting to change. The Minister for COVID-19 Response, Hon Chris Hipkins, in a mid-December briefing paper to Cabinet noted that “Confidence in the border system will underpin the safe reopening of borders.” This includes off-shore risk management with additional conditions for people to board international flights.” On 28 December, the Minister announced plans for pre-departure risk reduction measures, including testing for people leaving the United Kingdom for New Zealand, “are currently being worked on, with a view to implementing them from mid-January”, with “additional risk measures for other [high risk] countries” also being considered.

Three weeks later, the Minister announced that pre-departure testing would be extended to all passengers to New Zealand except from low risk Australia, Antarctica and most Pacific Islands.

To be sure, COVID presented an unprecedented set of border management policy challenges, not least around the return of hundreds of thousands of expatriate New Zealand citizens and permanent residents who have an assumed right to come and go as they desire through New Zealand’s borders. These challenges took on added political significance given the timing of a national election in September 2020, and one may speculate as to what bearing this may have had. As unprecedented as the ongoing challenges may be, however, the above discussion highlights that the ongoing COVID response would be well served by government taking greater inspiration from its pre-existing risk-based and security in-depth approaches to border management.

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