

Integrated labour markets and citizenship: The Trans-Tasman Travel Arrangement

Kate McMillan

Political Science and International Relations
Programme

Victoria University of Wellington



Broad questions

1. Can democratic citizenship be protected within regionally integrated labour markets?
2. If so, by what mechanisms?

Case study:

Kiwis in Australia under the Trans-Tasman Travel Arrangement (TTTA).

“Second country nationals” (SCNs)

- Those who move within an integrated region under a freedom of movement agreement.
- “Third country nationals” or TCNs = migrants from outside the integrating region
- In what ways, if any, do SCNs differ from TCNS?

Two views of citizenship within regional labour markets

1. SCNs need to choose between the status and rights they enjoy at home and the opportunities offered by regional migration.
2. SCNs should not have to choose between the economic, political and social aspects of their citizenship.

Two reasons to extend social and political rights to SCNs

1. Non-portability of social and political rights a barrier to labour mobility and thus regional integration;
2. Political disenfranchisement causes a “democratic wrong” (Owen 2012), and lack of access to social rights causes social exclusion.

Options for providing political rights

- **State of nationality** via “external voting”;
- **Voting in state of residency** on the basis of long-term or permanent residency;
- **Voting in state of residency** through acquiring citizenship in that state
- **Voting** as regional citizen for representation in **regional political institution.**

Options for providing social rights- who pays?

- **The state of nationality**, effected via reciprocity agreements or portable social insurance;
- **state of nationality and the state of residency** via cost-sharing agreement;
- **The state of residency** on the grounds of long-term or permanent residency in that state;
- **The state of residency** via grant of citizenship in that state.

Which option to choose?

1. Which rule best fits with existing institutional structures?
2. Which rule is easiest to adopt and implement?
3. What are the costs and side-effects of the different options? (David Owen, 2012)

Political rights for Kiwis: which options best fit the Australasian context?

- **Via external voting:** why should non-residents have an enduring say over NZ politics?
- **Via permanent residency:** would require change in Australian electoral legislation.
- **Via citizenship:** conforms to legislative, cultural and political expectations about relationship between membership and voting rights.
- **Via regional representative body:** no such body exists.

Political rights for Kiwis: which options best fit the Australasian context?

- **Via external voting:** why should non-residents have an enduring say over NZ politics?
- **Via permanent residency:** would require change in Australian electoral legislation.
- **Via citizenship:** conforms to legislative, cultural and political expectations about relationship between membership and voting rights.
- **Via regional representative body:** no such body exists.

Social rights for Kiwis: which options best fit the Australasian context?

- **NZ pays:** violates concept that tax is redistributed across contributing population;
- **Australia and NZ share costs;** does not make sense for non-contributory benefits;
- **Australia bears costs on basis of residency;** currently the case for PRs, after a 2 year stand down;
- **Australia bears cost on basis of citizenship;** would treat NZers differently to other PR.

Social rights for Kiwis: which options best fit the Australasian context?

- **NZ pays:** violates concept that tax is redistributed across contributing population;
- **Australia and NZ share costs;** does not make sense for non-contributory benefits;
- **Australia bears costs on basis of residency;** currently the case for PRs, after a 2 year stand down;
- **Australia bears cost on basis of citizenship;** would treat NZers differently to other PR.

Australian resistance

- Asymmetry of migration patterns
- “Back door” migration
- Common labour market requires common visa, immigration and asylum policies

Conclusion

- Special action required to protect citizenship in context of integrated labour markets.
- Such actions require either that countries unilaterally extend social and political rights to SCNs, or region-wide agreements are put in place.
- Without them, regional integration occurs at the expense of citizenship. Something that needs to enter the economically-dominated dialogue of regional integration.

References

- Australian Productivity Commission, New Zealand Productivity Commission, *Strengthening Economic Relations Between Australia and New Zealand A Joint Study Issues Paper*, April 2012, <http://www.productivity.govt.nz/sites/default/files/Trans-Tasman%20issues%20paper.pdf>
- Bellamy, Richard, 'An ever closer union among the peoples of Europe': Union citizenship, democracy, rights and the enfranchisement of Second Country Nationals', European Union Democracy Observatory on Citizenship, <http://eudo-citizenship.eu/commentaries/citizenship-forum/594-should-eu-citizens-living-in-other-members-states-vote-there-in-national-elections?start=7>
- Owen, David, 'How to enfranchise second country nationals? Test the options for best fit, easiest adoption and lowest costs, European Union Democracy Observatory on Citizenship', <http://eudo-citizenship.eu/commentaries/citizenship-forum/594-should-eu-citizens-living-in-other-members-states-vote-there-in-national-elections?start=4>, 2012.