

Pressure to return to country of origin

Foreign states conducting foreign interference may try to coerce or force individuals to leave New Zealand against their will to return to their country of origin. This is known as **coerced repatriation**.

To do this the foreign state may:

- put travel bans on people, or their family or associates to restrict movement and create pressure to return to their country of origin
- freeze financial assets in their country of origin
- harass or intimidate family, friends, or associates in their country of origin, or pressure them to encourage the person to travel back.

It is important to remember that coerced repatriation is not something most people will experience, even if they are targeted by foreign interference.

Extradition

What is extradition

Extradition is a formal legal process between countries for returning a person to face criminal charges or serve a sentence. New Zealand's extradition procedures are laid out in the Extradition Act 1999.

Legal extradition is not a form of foreign interference.

When extradition can be requested

If criminal charges have been filed against a person in their country of origin, or they have not completed their sentence, then that country may make an extradition request to the country where the person currently lives.

A country requesting extradition may rely on either an international treaty or on the domestic law of the foreign country. The Extradition Act does not require a foreign country to have a treaty to request extradition from New Zealand.

An extradition request is an application for the arrest and return of the person involved for trial or continued sentence in the country of origin.

How New Zealand handles extradition requests

In New Zealand, extradition requests made by other countries are considered by the Government and the court.

New Zealand law requires authorities to refuse extradition requests if they are being used to carry out political persecution.

This includes where the person is being prosecuted for the purpose of punishing them on account of their race, ethnic origin, religion, nationality, sex, or other status, or political opinions, or for an offence of a political character (such as linked to someone's political opinions or activities).

New Zealand can also refuse a foreign country's extradition request if the accusation against the person was not made in good faith and is not in the interests of justice. The case can be refused if considering all the circumstances, sending the person back would be unfair or oppressive.

How extradition is managed in New Zealand

If there is a valid arrest warrant or criminal charges from another country, the New Zealand Government manages extradition through official internationally recognised processes. Foreign authorities cannot arrest, detain or approach people in New Zealand as a part of the extradition process.

Where to get help

Legal representation and advice

Government departments handle the extradition process, but they cannot provide legal advice to individuals.

That means anyone facing an extradition request should contact a lawyer specialising in extradition, human rights, and international law.

[Learn more about legal support available in New Zealand here.](#)