

Hon Andrew Little

Minister of Health
Minister Responsible for the GCSB
Minister Responsible for the NZSIS
Minister for Treaty of Waitangi Negotiations
Minister Responsible for Pike River Re-entry



Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques

20 June 2022

Chuck Schooner

By email: fyi-request-19314-8f57a10c@requests.fyi.org.nz
Ref: ALOIA191

Tēnā koe Chuck

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 11 May 2022 for information regarding the World Health Organization (WHO).

Between 11 May and 20 May 2022, my office received two separate requests for official information from you. After receiving two of your requests, my office has made the decision to combine them into one response under reference number ALOIA191. This is due to the frequency and the similarity of the subject of the two requests, namely information on the World Health Organisation (WHO). Under the Act, my office considers the above as one request and a response has been provided to each part of your request below.

legal advice obtained by Mr Little associated with the WHO global pandemic treaty - what legal authority does Mr Little have in potentially ceding NZ sovereign rights to unelected officials at WHO

reports / assessments of the WHO global pandemic treaty - if the treaty has not been assessed and reported on then why not

public announcements made by Mr Little on ceding sovereignty to WHO and public feedback - if public feedback has not been sought then why not? Public backlash"

Any and all payments to the WHO from 2010 annually

What are the requirements / payments required annually by the NZ Government to WHO?

*Please provide the process that is required for NZ to decouple from the WHO
If evidence can be provided that WHO is complicit in this pandemic what is then does the Minister believe we should decouple from the organisation and stop any funding*

Funding for the World Health Organization (WHO) is derived from governments' Assessed Contributions (WHO Member States' annual financial contributions based on the UN scale of assessments) and Voluntary Contributions (additional contributions made at the discretion of donors, including Member States and philanthropic organisations). New Zealand's Assessed Contribution to the World Health Organization for 2022 is NZD \$2,072,064.14. New Zealand's next Assessed Contribution payment to the WHO is due on 1 January 2023. Further information on WHO funding is available at: www.who.int/about/funding.

I further note your request for “any and all payments to the WHO from 2010 annually”. You may be interested to note that this information is publicly available on the Ministry of Health’s (the Ministry) website. There is an appropriation in Vote Health specifically for Crown funding of the WHO membership. This is detailed in the Ministry’s annual reports under “Non-Departmental Other Expenses: International Health Organisation”. You can access the Ministry’s Annual Reports from 2021 – 2007 at:

www.health.govt.nz/publications?f%5B0%5D=im_field_category%3A331&f%5B1%5D=im_field_category%3A390&f%5B2%5D=im_field_category%3A391.

I also note your query about de-coupling from the WHO, which we interpret to mean official withdrawal from membership. New Zealand is a founding Member State of the WHO. Since it was established, the New Zealand Government has remained committed to actively engaging in WHO processes at the national, regional and global levels to support its core mandate, which includes advocating for universal health coverage, directing and coordinating the world’s response to health emergencies, and promoting healthier lives.

The WHO is the lead United Nations (UN) agency in the global health system and as such New Zealand would not consider exiting the WHO. Membership arrangements for the WHO are covered by the WHO Constitution (or founding treaty). This does not explicitly provide for withdrawal from membership, nor does it contain provision for removing a Member State and its obligations under the Treaty. However, Article 7 of the Constitution does provide for the suspension of voting rights for a Member State that fails to pay its assessed contributions. A copy of the Constitution can be found at:

www.who.int/governance/eb/who_constitution_en.pdf.

These negotiations are being taken forward via an Intergovernmental Negotiating Body (INB) involving all WHO Member States including New Zealand. As negotiations within the INB are at an early stage and the exact form of the instrument is yet to be decided, New Zealand has not yet developed a legal opinion on this matter. Therefore, your request for “legal advice” is refused is under section 18(e) of the Act as the information requested does not exist.

Governments are working to finalise a draft instrument for Member States’ approval by the 77th World Health Assembly in 2024: www.who.int/about/governance/world-health-assembly.

In New Zealand, approval of a legally binding instrument (i.e., a treaty) requires an appropriate Cabinet mandate and parliamentary treaty examination. You can access an overview of the international treaty making process in New Zealand available here:

www.mfat.govt.nz/assets/About-us-Corporate/Treaties-Model-instruments/International-Treaty-Making-Guide-2021.pdf.

I further note your request for “reports / assessments of the WHO global pandemic treaty”. As noted above, the exact form of the instrument is yet to be decided and there is therefore no such treaty currently in existence to assess. As such this section of your request is refused under section 18(e) of the Act as the information requested does not exist. However, you may also be interested to know that the Ministry of Health (MOH) is proactively releasing joint advice produced with the Ministry of Foreign Affairs and Trade (MFAT) that relates to negotiations towards a new pandemic treaty or instrument in the coming weeks. This information will be published at: www.health.govt.nz/about-ministry/information-releases/general-information-releases.

Public consultation opportunities will be available on the Ministry of Health’s website in due course and will remain available as negotiations progress.

The WHO was guilty in propagating the lie that the virus DID NOT come from a lab and derailed investigations into the origin of the virus - FYI - there is enough information to show that the WHO is complicit in this pandemic and NZ should not be giving any money to this organisation anymore

I do not accept the premise of this part of your request. While the Act allows New Zealanders to ask Ministers and government agencies for information, it is not a vehicle to engage in a debate with Ministers about the Government's response to the global COVID-19 pandemic. There is no requirement under the Act for agencies to create new information, compile information they do not hold, respond to hypothetical questions or, as in this case, provide or prove an opinion. The Act does not support requests where statements are put to agencies and Ministers for response, couched as a request for official information. Therefore, this part of your request is refused under section 18(g) of the Act on the grounds that the information is not held by me and I do not consider it is held by any other agency subject to the Act.

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink that reads "Andrew Little". The signature is written in a cursive, flowing style.

Hon Andrew Little
Minister of Health