

19 December 2024

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Andrew Riddell

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OIA 29785

Tēnā koe Andrew Riddell

Thank you for your email of 26 October 2024 to the Ministry of Foreign Affairs and Trade (the Ministry), in which you request the following under the Official Information Act 1982 (OIA):

"I request copies of all assessments, briefings, reports, talking points and similar advice by the Ministry of Foreign Affairs and Trade to the Minister of Foreign Affairs on the 19 July 2024 declaratory decision by the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the occupied Palestinian territory, including East Jerusalem."

Background

A significant amount of information relating to the Israel-Hamas conflict is publicly available on the Ministry's website: <https://www.mfat.govt.nz/en/countries-and-regions/middle-east/israel-hamas-conflict>

This information is regularly updated and includes links to announcements, details on funding, statements and press releases, proactively released OIA responses, and responses to frequently asked questions.

Response to your request

Please see the following table for a list of documents in scope of your request:

Type	Title	Date
Email	ICJ issues significant advisory opinion on Israeli Occupation	20 July 2024
Email	ICJ issues significant advisory opinion on Israeli Occupation	22 July 2024
Email	ICJ issues significant advisory opinion on Israeli Occupation	23 July 2024
Email	Oral Questions Thursday 25 July: Israel/ICJ	25 July 2024
Email	FORMAL MESSAGE: MEPP/ICJ: [Withheld under 6(b)(i)]	2 August 2024

Type	Title	Date
Email	FORMAL MESSAGE MIDDLE EAST CONFLICTS – UPDATED TALKING POINTS	8 August 2024
Email	Sanctions on Israel following ICJ Ruling on Unlawful presence in Palestinian Territories - ministerial templates for OMFA	12 August 2024

Some information is withheld under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government;
- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 6(b)(ii): to protect the passing of information from an international organisation on a confidential basis;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments;
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment; and
- 9(2)(h): to maintain legal professional privilege.

One briefing titled "UNGA Resolution: ICJ Advisory Opinion on Israeli Occupation of Palestine" dated 16 September 2024 is refused under section 18(d) as the information is publicly available on the MFAT website here: <https://www.mfat.govt.nz/assets/OIA/OIA-2024/OIA-29693-UNGA-Illegal-israeli-actions-in-occupied-Jerusalem-6-November-2024.pdf>

Where the information has been withheld under section 9 of the OIA, no public interest in releasing the information has been identified that would override the reasons for withholding it.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Owen Thornber
for Secretary of Foreign Affairs and Trade