

14 May 2024

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OIA 29252

Tēnā koe

I refer to your Official Information Act 1982 (OIA) request, transferred to the Ministry of Foreign Affairs and Trade (the Ministry) on 22 March 2024. You requested:

- *Assessment of the humanitarian situation in Gaza;*
- *Current Palestinian community with family in Gaza; and*
- *Assessment of efficacy of current process and "roadblocks" by Israel and Egypt.*

On 23 April 2024, the timeframes for responding to your request were extended by 15 working days due to the consultations necessary to make a decision on your request (section 15A(1)(b) of the OIA refers).

The document *Informal Note – Gaza visa Issues ahead of meeting with Minister Stanford* which is in scope of your request is attached. We have withheld some information 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;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(f)(iv): to protect the confidentiality of advice tendered by Ministers of the Crown and officials; and
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments.

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

Due to the large volume of information captured in the scope of the remainder of your request, in line with section 16(1)(e) and section 16(2)(a) of the OIA, the Ministry is providing you with the following summary of information relating to supplementary documents informing advice to Ministers:

Information and advice provided to Ministers on the Israel-Hamas conflict includes written and oral briefings, submissions, regular Situation Reports, talking points, and file notes from meetings with community organisations and/or other government departments that covered the topics in scope of your request.

The Ministry's advice on New Zealand's response to the Israel-Hamas conflict since 7 October 2023 has been consistently grounded in international law and revolves around four pillars, as follows:

- **The upholding of international law and international humanitarian law**, including the protection of civilians and the provision of humanitarian assistance for those in need. This has guided our position on the release of hostages; protection of civilians; and the urgent need for humanitarian access;
- **Opposition to the use of terror as a political tool and illegal act** – guiding New Zealand's unequivocal condemnation of Hamas' 7 October attacks on Israel;
- **Recognition of the right for a state to defend itself** – guiding statements on Israel's right to defend itself, within the limits of full compliance with international law; and
- **The importance of political, not military, solutions** - guiding our approach to the long-term solution to the crisis, specifically calls for an urgent restart of the Middle East Peace Process and for a two-state solution to the Israeli-Palestinian conflict as the best path for a durable and lasting peace in the region.

Humanitarian situation and response

New Zealand is gravely concerned by the humanitarian crisis resulting from the Israel/Hamas conflict. New Zealand continues to advocate for safe, rapid and unimpeded humanitarian access at all levels, including directly with Israel. Improved and sustained access is desperately needed to allow the necessary aid and assistance to reach the civilian population.

The New Zealand Government is committed to supporting the humanitarian response and has provided NZ\$17 million in funding to address urgent humanitarian needs resulting from the conflict. This funding has supported the responses of the World Food Programme, International Committee of the Red Cross, the United Nations Children's Fund, and the United Nations 2720 Mechanism for Gaza. The New Zealand Government continues to monitor the humanitarian situation closely and consider how we can best support the response.

Information regarding the government's assessment of the humanitarian situation is already publicly available on the Ministry's website under the sub-headings 'Humanitarian Assistance' and 'Official information Act Responses – Humanitarian funding' here:

www.mfat.govt.nz/en/countries-and-regions/middle-east/israel-hamas-conflict/

High-quality and reliable humanitarian reporting on the situation in Gaza is also available online through sources such as ReliefWeb, which is provided by the United Nations Office for the Coordination of Humanitarian Affairs: reliefweb.int/

Palestinian community engagement

The Ministry has regularly engaged with members of the Palestinian community and community groups since 7 October 2023. These meetings have provided opportunities for the community to raise issues of concern with the Ministry, including as it relates to visa policy and consular support, as well as for the Ministry to share the government's policy positions and rationale. Regular engagement is important as a means to hear from communities so the Ministry can consider and incorporate issues of importance to them in its policy advice and how that is put into practice.

You may wish to refer to information regarding New Zealand's position on the conflict, and the Middle East Peace Process, on the Ministry website, which is regularly updated:
www.mfat.govt.nz/en/countries-and-regions/middle-east/israel-hamas-conflict/

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, appearing to be 'SC', written over a faint horizontal line.

Sarah Corbett
for Acting Secretary of Foreign Affairs and Trade