

# Proactive Release

Statutory publication date: 09/07/2024

The following Cabinet paper and related Cabinet minutes have been proactively released by the Minister of Foreign Affairs

<b>Title</b>	<b>Reference</b>
<b><i>Cabinet Minute of Decision – Report of the Cabinet Legislation Committee: Period Ended 24 May 2024</i></b>	CAB-24-MIN-0188
<b><i>Minute of Decision: Government Response to the Petition of David Cumin on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)</i></b>	LEG-24-MIN-0089
<b><i>Government response to the petition of David Cumim on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)</i></b>	

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the OIA). Where this is the case, the relevant sections of the OIA that would apply have been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to OIA redaction codes:

- s6(a): to protect the international relations of the New Zealand government;
- s9(2)(a): to protect privacy; and,
- s9(2)(g)(i): to protect the free and frank expression of opinion tendered by or between Ministers and officials.

The Governments response to 'Petition of David Cumin: Do not fund UNWRA [sic]' is available via the following link: [petitions.parliament.nz/f9e762c1-6cc8-4000-c5de-08db3a7cbf1e](https://petitions.parliament.nz/f9e762c1-6cc8-4000-c5de-08db3a7cbf1e)



# Cabinet

## Minute of Decision

---

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

---

### **Report of the Cabinet Legislation Committee: Period Ended 24 May 2024**

On 27 May 2024, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 24 May 2024:

Out of scope

Proactively Released by the Minister of Foreign Affairs

Out of scope

LEG-24-MIN-0089

**Government Response to the Petition of David Cumin on Funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)**  
Portfolio: Foreign Affairs

CONFIRMED

Out of scope

Proactively Released by the Minister of Foreign Affairs

Out of scope

Diana Hawker  
for Secretary of the Cabinet

Proactively Released by the Minister of Foreign Affairs



# Cabinet Legislation Committee

## Minute of Decision

---

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

---

### Government Response to the Petition of David Cumin on Funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

Portfolio                      Foreign Affairs

On 23 May 2024, the Cabinet Legislation Committee:

- 1        **noted** that on 16 May 2023, the petition entitled *David Cumin: Do Not Fund UNWRA*[sic] (the Petition) was presented to the Petitions Committee;
- 2        **noted** that on 4 March 2024, the Petition was referred to the Minister of Foreign Affairs for response;
- 3        **noted** that the proposed Government response recommends that the Government not respond positively to the petition request, and that funding decisions related to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) should continue to be taken by the Minister of Foreign Affairs on advice from officials;
- 4        **approved** the Government response to the Petition, attached to the submission under LEG-24-SUB-0089;
- 5        **noted** that the Government response will be presented to the House by 28 May 2024;
- 6        **invited** the Minister of Foreign Affairs to present the Government response to the House in accordance with Standing Order 380;
- 7        **invited** the Minister of Foreign Affairs to write to the petitioner enclosing a copy of the Government response to the Petition, after the response has been presented to the House.

Sam Moffett  
Committee Secretary

---

Present: (see over)

**Present:**

Rt Hon Winston Peters  
Hon Chris Bishop (Chair)  
Hon Dr Shane Reti  
Hon Paul Goldsmith  
Hon Tama Potaka  
Hon Nicole McKee  
Hon Casey Costello  
Hon Simon Watts  
Hon Andrew Bayly  
Hon Penny Simmonds  
Hon Andrew Hoggard  
Jamie Arbuckle, MP

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG  
Office of the Leader of the House

Proactively Released by the Minister of Foreign Affairs

RESTRICTED

Office of the Minister for Foreign Affairs

Chair, Cabinet Legislation Committee

**Government response to the petition of David Cumin on funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)**

**Purpose**

- 1 This paper seeks approval of the government's response to the Petitions Committee referral of the petition entitled "*David Cumin: Do not fund UNWRA[sic]*".

**Background**

- 2 On 4 March 2024, the Petitions Committee referred the petition of David Cumin to the Minister of Foreign Affairs for response under Standing Order 380. The petition requests that the "*House of Representatives does not appropriate funds that could go towards [UNRWA]*" and was first presented to Parliament in May 2023. The petition has one signature.
- 3 Through the annual budget process, Parliament appropriates funding for New Zealand's International Development Cooperation (IDC) programme (a non-departmental appropriation within Vote Foreign Affairs). Discrete spending decisions related to humanitarian and development funding under the programme, including for UNRWA, are the purview of the Minister of Foreign Affairs on the advice of, or delegated to, the Ministry of Foreign Affairs and Trade<sup>1</sup> (herein the Ministry). Where spending falls within the Ministry's financial delegations but is sensitive, or controversial, then the Ministry consults or seeks the agreement of the Minister.
- 4 UNRWA was established by the United Nations General Assembly on 8 December 1949 to deliver humanitarian and development assistance to Palestinian refugees. Its mandate has been continually extended by United Nations member states and was last renewed in late-2022 out to 2026 (votes: 164 in favour, 6 against, 5 abstentions). Today, 5.9 million refugees are eligible for UNRWA assistance in Gaza, the West Bank, Jordan, Lebanon and Syria. UNRWA's services include: education; health care; relief and social services; camp improvement; microfinance; and emergency assistance.
- 5 New Zealand has supported UNRWA since its establishment through engagement on its mandate and financial contributions. New Zealand has provided NZ\$27 million in funding to UNRWA since 2004.

---

<sup>1</sup> Noting that approvals exceeding NZ\$25 million require Cabinet approval by way of the financial delegations framework in place.

6 s9(2)(a), s9(2)(g)(i)

### Comment on the government response

- 7 The Minister of Foreign Affairs recommends the Government not respond positively to the petitioner's request that the House of Representatives "*not appropriate funds that could go to [UNRWA]*". It remains appropriate for the Cabinet, Minister of Foreign Affairs or the Ministry to continue to make decisions on the allocation of the IDC appropriation in line with financial delegations. In the case of UNRWA specifically, given sensitives, it remains appropriate the Minister of Foreign Affairs continue to take decisions on funding, informed by foreign policy and other considerations.
- 8 It has been a long-held view of the New Zealand Government and our likeminded partners that, in the absence of a two-state solution to the Israeli-Palestinian conflict, UNRWA plays a unique and essential role in ensuring the humanitarian, development, and protection needs of Palestinian refugees are met. UNRWA is an important stabilising force for peace in the region and New Zealand's support for the Agency is an extension of our support for the Middle East Peace Process, the United Nations, and the broader multilateral system.
- 9 The critical role of UNRWA in providing lifesaving humanitarian assistance and protection in Gaza in the context of the current Israel-Hamas conflict is a salient example of the importance of its mandate. This was reinforced by the International Court of Justice's provisional measures order of 28 March that requires Israel to cooperate fully with the United Nations to ensure unhindered provision of humanitarian assistance.
- 10 UNRWA is financially supported by many of our likeminded partners including: Australia, Belgium, Canada, Japan, Jordan, Ireland, Germany, France, Finland, Denmark, Sweden, Spain, Norway, and the European Commission.
- 11 The Agency operates in a highly complex and challenging political context, the sensitivities of which are heightened in the context of the Israel-Hamas conflict. s6(a)



- 12 The recommended Government response canvasses sensitivities related to UNRWA, including UNRWA's adherence to humanitarian principles and UN values such as tolerance and non-discrimination as raised by the requestor. UNRWA has been subject to significant allegations of misconduct in the past, some of which have been substantiated and officials assess that UNRWA has taken appropriate action in response.
- 13 Israel's January 2024 allegation that UNRWA staff participated in the 7 October 2023 terror attacks s9(2)(g)(i) The United Nations' ongoing response to the allegation includes: an independent Office of Internal Oversight Services investigation to establish the facts; an external review led by Catherine Colonna, the former Minister of Foreign Affairs of France that assessed whether UNRWA was doing everything within its power to ensure neutrality and to respond to allegations of serious breaches when they are made; and a series of internal UNRWA initiatives to strengthen accountability and oversight.
- 14 Given these sensitivities, the Ministry defers decisions on funding for UNRWA to the Minister of Foreign Affairs, even as the funding amount – usually NZ\$1 million per annum – falls within Ministry delegations. UNRWA funding decisions are informed by foreign policy considerations, humanitarian and development settings, and New Zealand's zero tolerance for hate speech, violence, or incitement.
- 15 Decisions related to UNRWA can carry significant foreign policy implications for New Zealand and should continue to be made by the Minister of Foreign Affairs, on advice from the Ministry. The House of Representatives' role is to appropriate overall funds for New Zealand's IDC programme. When appropriate, or where financial thresholds require it, the Minister of Foreign Affairs will continue to bring IDC matters to the attention of colleagues or Cabinet.

#### **Timing of the government response**

- 16 The government response must be presented to the House by 28 May 2024.

#### **Consultation**

- 17 The Department of the Prime Minister and Cabinet (National Security Group and Policy Advisory Group) has been informed.

#### **Financial implications**

- 18 There are no financial implications for New Zealand.

#### **Publicity**

- 19 There is no publicity planned.

## Proactive Release

20 This paper is proposed for proactive release, subject to redaction as appropriate under the Official Information Act 1982.

## Recommendations

The Minister of Foreign Affairs recommends that the Cabinet Legislation Committee:

- 1 note that on 16 May 2023 the petition entitled "*David Cumin: Do not fund UNWRA[sic]*" was presented to the Petitions Committee;
- 2 note that on 4 March 2024 the petition entitled "*David Cumin: Do not fund UNWRA[sic]*" was referred to the Minister of Foreign Affairs for response;
- 3 note the proposed government response recommends the Government not respond positively to the petition request, and that funding decisions related to UNRWA should continue to be taken by the Minister of Foreign Affairs on advice from officials;
- 4 approve the government response, attached to this submission, entitled "*David Cumin: Do not fund UNWRA[sic]*";
- 5 note that the government response will be presented to the House by 28 May 2024;
- 6 invite the Minister of Foreign Affairs to present the government response to the House in accordance with Standing Order 380; and
- 7 invite the Minister of Foreign Affairs to write to the petitioner enclosing a copy of the government response to the report of the Petitions Committee on the petition, after the response has been presented to the House.

Authorised for lodgement

Rt Hon Winston Peters  
Minister of Foreign Affairs