

Proactive Release

Published on or before: 05/11/2024

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

| Title | Reference |
|--|------------------|
| <i>Report of the Cabinet Legislation Committee: Period Ended 20 September 2024</i> | CAB-24-MIN-0376 |
| <i>Cabinet Minute of Decision – Report of the Cabinet Legislation Committee: Period Ended 24 May 2024</i> | CAB-24-MIN-0192 |
| <i>Government response to the petition of Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions</i> | |

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:

- 9(2)(a): to protect individuals' privacy; and
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments;



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 20 September 2024

On 23 September 2024, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 20 September 2024:

LEG-24-MIN-0192

Government Response to Petition of Katrina Mitchell-Kouttab: Gaza - Call for New Zealand to Take Further Actions
Portfolio: Foreign Affairs

CONFIRMED

Diana Hawker
for Secretary of the Cabinet



Cabinet Legislation Committee

Minute of Decision

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Government Response to Petition of Katrina Mitchell-Kouttab: Gaza - Call for New Zealand to Take Further Actions

Portfolio Foreign Affairs

On 19 September 2024, the Cabinet Legislation Committee:

- 1 **noted** that on 30 April 2024, the petition titled “Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions” (the Petition) was presented to the Petitions Committee;
- 2 **noted** that on 2 August 2024, the Petition was referred to the Minister of Foreign Affairs for response;
- 3 **noted** that the Minister of Foreign Affairs recommends that the Government decline the petitioner’s request that the House of Representatives:
 - 3.1 call for an unconditional and internationally monitored ceasefire in Gaza;
 - 3.2 provide further humanitarian assistance to Gaza;
 - 3.3 demand an end to Israel's illegal occupation of Palestinian territories;
 - 3.4 condemn the targeting of civilians and what is described by UN special rapporteur as meeting the threshold of genocide against Palestinians;
 - 3.5 condemn unlawful violent settler behaviour in the West Bank;
 - 3.6 note that 15,814 people have signed a similar online petition;
- 4 **approved** the Government response to the Petition, attached to the paper under LEG-24-SUB-0192;
- 5 **noted** that the Government response will be presented to the House by 25 October 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.

Tom Kelly
Committee Secretary

Attendance: (See over)

Present:

Rt Hon Winston Peters (Chair)
Hon Nicola Willis
Hon Shane Jones
Hon Brooke van Velden
Hon Dr Shane Reti
Hon Erica Stanford
Hon Judith Collins KC
Hon Mark Mitchell
Hon Tama Potaka
Hon Casey Costello
Hon Nicole McKee
Hon Matt Doocey
Hon Andrew Bayly
Hon Scott Simpson, MP
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG
Prime Minister's Office

Proactively Released by the Minister of Foreign Affairs

~~IN CONFIDENCE~~

Office of the Minister of Foreign Affairs
Chair, Cabinet Legislation Committee

Government response to the petition of Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions

Purpose

- 1 This paper seeks approval of the Government's response to the Petitions Committee referral of the petition entitled "*Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions*".

Background

- 2 On 2 August 2024, the Petitions Committee referred the petition of Katrina Mitchell-Kouttab to the Minister of Foreign Affairs for response under Standing Order 380.
- 3 The petition requests that *the House of Representatives call for an unconditional and internationally monitored ceasefire in Gaza; provide further humanitarian assistance to Gaza; demand an end to Israel's illegal occupation of Palestinian territories; condemn the targeting of civilians and what is described by UN special rapporteur as meeting the threshold of genocide against Palestinians; condemn unlawful violent settler behaviour in the West Bank; and note that 15,814 people have signed a similar online petition.*
- 4 s9(2)(a), s9(2)(g)(i)

Comment on the Government response

- 5 I recommend that the Government inform the petitioner that the Government is not able to respond positively to the petitioner's request as it is not the role of the House of Representatives to take such decisions for the Government, but rather it remains appropriate for the Minister of Foreign Affairs and the Ministry to continue to make decisions on foreign policy, including decisions on the allocation of humanitarian assistance.
- 6 This position would be consistent with the response of the Government to the Petition of Dr David Cumin in CAB-24-MIN-0188 that the House of Representatives cease funding the United Nations Relief and Works Agency for

Palestine Refugees in the Near East (UNRWA). It was the Government's determination in that instance that New Zealand's financial support for humanitarian and development agencies should continue to rest with the Minister of Foreign Affairs and the Ministry.

7 Whilst the Government is unable to respond positively to the petitioner's request, New Zealand's position remains clear and consistent on many of the issues raised by the petitioner:

7.1 New Zealand has long called for a ceasefire.

7.2 New Zealand continues to urge all parties to exercise the utmost restraint and take all necessary steps to de-escalate tensions and end the conflict.

7.3 New Zealand supports the efforts of countries working hard to find a diplomatic solution to ending the conflict in Gaza.

7.4 New Zealand calls on all parties to protect civilians and comply with international humanitarian law.

7.5 New Zealand continues to call also for an urgent restart of the Middle East Peace Process and a two-state solution to the conflict as the best path for a durable and lasting peace in the region.

8 The Government response provides further detail on the New Zealand Government's position and response on the conflict in Gaza.

Timing of the Government response

9 The government response must be presented to the House by 25 October 2024.

Consultation

10 The Ministry of Foreign Affairs and Trade has been consulted.

Financial implications

11 There are no financial implications for New Zealand.

Publicity

12 There is no publicity planned.

Proactive Release

13 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 30 April 2024 the petition entitled “*Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions*” was presented to the Petitions Committee.
- 2 **Note** that on 2 August 2024 the petition entitled “*Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions*” was referred to the Minister of Foreign Affairs for response.
- 3 **Note** that the Minister of Foreign Affairs recommends that the Government decline the petitioner’s request that *The House of Representatives call for an unconditional and internationally monitored ceasefire in Gaza; provide further humanitarian assistance to Gaza; demand an end to Israel’s illegal occupation of Palestinian territories; condemn the targeting of civilians and what is described by UN special rapporteur as meeting the threshold of genocide against Palestinians; condemn unlawful violent settler behaviour in the West Bank; and note that 15,814 people have signed a similar online petition.*
- 4 **Approve** the Government response, attached to this submission, entitled “*Katrina Mitchell-Kouttab: Gaza - call for New Zealand to take further actions.*”
- 5 **Note** that the Government response will be presented to the House by 25 October 2024.
- 6 **Invite** the Minister of Foreign Affairs to present the Government response to the House in accordance with Standing Order 380.
- 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