



20 October 2023

Acting Minister of Foreign Affairs

For information by

20 October 2023

## Israel-Gaza conflict: New Zealand statements at the United Nations

**BRIEFING** Overview Submission

**PURPOSE** To note two anticipated occasions for New Zealand to speak on the Israel-Gaza conflict at the United Nations next week, and to outline intended statement elements.

### Recommended referrals

Prime Minister

For information by

23 October 2023

### Contact details

NAME	ROLE	DIVISION	WORK PHONE
s9(2)(g)(ii)		Middle East and Africa Division United Nations, Human Rights and Commonwealth Division	s9(2)(g)(ii)

### Minister's Office to complete

<input type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Referred
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

**Comments**

## Israel-Gaza conflict: New Zealand statements at the United Nations

### Key points

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- There are likely to be two occasions next week for New Zealand to deliver national statements on the Israel-Gaza conflict at the United Nations in New York. A large number of countries are expected to speak and it would be unusual for New Zealand not to participate and record its position on unfolding events.
- The United States' veto of Brazil's UN Security Council resolution on the conflict on 18 October automatically triggers a debate in the **United Nations General Assembly** under what is known as the Veto Initiative (of which New Zealand was a key proponent). This could be superseded by an Emergency Special Session of the General Assembly. Timing for a General Assembly session is not confirmed, however early next week remains a possibility.
- A regular, quarterly **UN Security Council** open debate on the Middle East Peace Process is scheduled for Tuesday 24 October New York time (overnight Tuesday 24 October NZT), during which New Zealand, alongside other non-UN Security Council members, may speak if the format remains open.
- A number of factors are uncertain, including the timing and format for both UN General Assembly and UN Security Council sessions. Officials advice is that New Zealand deliver statements in both fora. Such statements would be the first dedicated New Zealand national statements on the current conflict, in a UN context.
- Officials propose to draft national statements drawing on the most up-to-date key messages from daily Situation Reports (SitReps) on the Israel-Gaza conflict, in line with the guiding principles (list in the Annex) agreed by the Prime Minister in the 10 October Informal Note on *Options for Humanitarian, Consular and Other Response to Israel-Gaza violence*.
- Officials would also reflect New Zealand's longstanding position on use of the veto, calibrated to the context and in line with above principles.
- It would also be appropriate to support the UN Secretary-General's effort to stabilise the situation, given the statements will be delivered in a United Nations context.
- Depending on events on the ground s6(a) officials may need to consult Ministers on New Zealand's public positioning on a ceasefire. Further advice will be provided as required.
- In any event, we anticipate that the statements will undergo revision up until delivery, to ensure they reflect any significant factual developments and current key messages.

s9(2)(g)(ii)

for Secretary of Foreign Affairs and Trade

## Israel-Gaza conflict: New Zealand statements at the United Nations

### Recommendations

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It is recommended that you:

- |   |   |                 |
|---|---|-----------------|
| 1 | <b>Note</b> two anticipated occasions for New Zealand to deliver national statements on the Israel-Gaza conflict at the United Nations next week, and the intended approach to statement content. | <b>Yes / No</b> |
| 2 | <b>Refer</b> a copy of this submission to the Prime Minister, Rt Hon Chris Hipkins including for sharing with the Leader of the Opposition  | <b>Yes / No</b> |

Hon Andrew Little  
Acting Minister of Foreign Affairs

Date:        /        /

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## Israel-Gaza conflict: New Zealand statements at the United Nations

**Annex: Agreed guiding principles for New Zealand's response** - drawn from the 10 October paper *Options for Humanitarian, Consular and Other Response to Israel-Gaza violence*

s6(a)

- Express solidarity with Israel, as the victim of an abhorrent terrorist attack
- Unequivocally condemn Hamas' attack
- Reiterate our support for Israel's right to defend itself
- Call for the release of all detainees

s6(a)

- Call for all parties to observe humanitarian law
- Call for humanitarian access to conflict affected areas
- Urge an end to violence
- If necessary, call for restraint and proportional response from Israel

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IN CONFIDENCE

URGENT



24 October 2023

Minister of Foreign Affairs

For approval by

24 October 2023

## Israel-Gaza conflict: New Zealand statements at the United Nations

BRIEFING Decision Submission

PURPOSE To seek your approval of draft New Zealand national statements on the Israel-Gaza conflict, for delivery at the United Nations this week.

### Recommended referrals

Prime Minister

For information by

24 October 2023

### Contact details

NAME	ROLE	DIVISION	WORK PHONE
s9(2)(g)(ii)		Middle East and Africa Division United Nations, Human Rights and Commonwealth Division	s9(2)(g)(ii)

### Minister's Office to complete

Approved

Noted

Referred

Needs amendment

Declined

Withdrawn

Overtaken by events

See Minister's notes

Comments

IN CONFIDENCE

## Israel-Gaza conflict: New Zealand statements at the United Nations

### Key points

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- As outlined in the Ministry's submission of 20 October, there are likely to be two occasions this week for Aotearoa New Zealand to deliver national statements on the Israel-Gaza conflict at the United Nations in New York.
- The quarterly UN Security Council open debate on "The situation in the Middle East, including the Palestinian question" is scheduled for Tuesday 24 October New York time (overnight Tuesday 24 October NZT). The New Zealand Permanent Representative to the UN in New York is on the speaking list.
- An Emergency Special Session of the UN General Assembly is then likely to take place on Thursday 26 October following a formal request by Mauritania and Jordan, in their capacities as Chair of the Arab Group and the Organisation for Islamic Cooperation (OIC) respectively.
- Officials have drafted national statements for both occasions in line with the parameters described in our 20 October submission. The drafts are attached for your approval.
- The statements may be subject to further change prior to delivery, should there be significant factual developments s6(a)  
s6(a)
- The statements include the key messages in the Prime Minister's statement made on 8 October at the beginning of the conflict:
  - condemnation of the Hamas terrorist attacks;
  - support for Israel's right to defend itself, in full compliance with international law;
  - call for the immediate release of all remaining hostages held in Gaza; and
  - strong emphasis on the critical need to protect civilian lives, as required under international law.
- In addition, the statements recognise the urgent need for safe delivery of humanitarian assistance and join others in calling for:
  - a humanitarian pause to the conflict (as presented in Brazil's recent UN Security Council resolution);
  - the establishment of humanitarian corridors (specific routes and logistical methods agreed upon by all relevant parties to allow the safe passage of humanitarian goods and/or people from one point to another in an area of active fighting); and
  - safe areas to further protect civilians from the effects of armed conflict.
- Lastly, the statements call for urgent action to advance a two-state solution, which envisions an independent State of Palestine living in peace and security alongside the State of Israel.

## Israel-Gaza conflict: New Zealand statements at the United Nations

- You may wish to tweet a link to the national statement following delivery in the UN Security Council (on the morning of Wednesday 25 October NZT). Suggested text is as follows: *Statement of the New Zealand Government on the Israel-Gaza Crisis: At the United Nations Security Council, New Zealand calls for action now to avoid further loss of life.*
- s9(2)(g)(ii)

for Secretary of Foreign Affairs and Trade

### Recommendations

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It is recommended that you:

- |   |  |                 |
|---|--|-----------------|
| 1 | <b>Approve</b> the content of the attached draft New Zealand national statements on the Israel-Gaza conflict for delivery at the United Nations this week.                     | <b>Yes / No</b> |
| 2 | <b>Authorise</b> officials to make changes to the statements to account for developments in the coming days, consistent with the policy parameters set out in this submission. | <b>Yes / No</b> |
| 3 | <b>Note</b> suggested language for a possible tweet following delivery of the national statement in the UN Security Council.   | <b>Yes / No</b> |
| 4 | <b>Refer</b> a copy of this submission to the Prime Minister, Rt Hon Chris Hipkins, including for sharing with the Leader of the Opposition                                    | <b>Yes / No</b> |

Hon Nanaia Mahuta  
Minister of Foreign Affairs / Minita Take Aorere

Date: / /

## Israel-Gaza conflict: New Zealand statements at the United Nations

### **Annex One: Draft statement for delivery at the UN Security Council open debate**

#### **New Zealand National Statement**

#### **UN Security Council Open Debate, 24 October 2023**

#### **Situation in the Middle East, including the Palestinian Question**

Thank you to Brazil for organising today's debate. Thank you to [Special Coordinator for the Peace Process Tor Wennesland] for [his] briefing.

President, even as this Council convenes, the deadly violence and bloodshed in Israel and Palestine persists. By day's end, more civilians will have tragically and needlessly lost their lives, some of them infants and children – innocent victims of conflict.

New Zealand condemns absolutely Hamas' terrorist attacks on Israel. We are appalled by their brutality, their targeting of civilians, and the taking of hostages which are clear violations of international law. We call for the immediate release of all hostages. We support Israel's right to defend itself, in full compliance with international law, including in respect of actions taken in Gaza. Ultimately though, there is no military solution that will bring about a just and lasting peace for Israelis and Palestinians.

The protection of civilians and delivery of urgent humanitarian assistance must remain a critical priority. We are deeply concerned about the significant flows of internally displaced persons. Their safety and security must be protected, including by establishing designated safe areas that are strictly off limits as targets, or for military use, and supplied through a humanitarian corridor. We expect Israel and Hamas to act in accordance with international humanitarian law, which imposes obligations upon all parties engaged in armed conflict.

President, there have been multiple reports of health facilities sustaining extensive damage, including the Al Ahli hospital which was struck on 14 October. When New Zealand last served on the UN Security Council in 2015-16, we championed Resolution 2286, which demands greater protection for healthcare in armed conflict, including hospitals and medical personnel.

Israel has an obligation under international humanitarian law, particularly the Fourth Geneva Convention, to provide basic needs for civilians in Gaza including food, water, energy, and



## Israel-Gaza conflict: New Zealand statements at the United Nations

shelter, and to facilitate humanitarian aid. These legal obligations cannot be dispensed with in times of conflict. New Zealand urges all parties, including Israel and Egypt, to rapidly facilitate access for the delivery of urgent humanitarian assistance to civilians in Gaza, including through the Kerem Shalom and Rafah border crossings. The volume of aid arriving in Gaza must significantly increase from recent levels.

For our part, New Zealand is supporting humanitarian appeals for populations in Gaza, the West Bank and Israel. And we stand ready to increase our support in the coming weeks.

Of course, humanitarian assistance is worthless if it cannot reach those in need. A humanitarian pause would provide a much needed opportunity for neutral, impartial, and independent humanitarian organisations to provide assistance and protection to those in Gaza desperately in need of it.

[We deeply regret that the UN Security Council could not adopt a resolution, and discharge its duties under the Charter.] **OR**

[We welcome the adoption of today's UN Security Council resolution as a recognition of the urgent needs on the ground.]

As UN Secretary-General Guterres has said, "We must ensure we advance all efforts to avoid any regional spill-over to the wider Middle East." We welcome all opportunities to de-escalate hostilities, including initiatives by the UN and other countries in the region and beyond.

This is not a time for political posturing or for using this conflict to advance any cause except bringing peace and security to Israel, Gaza, and the wider region. It is a time for urgent de-escalation.

Finally, New Zealand remains committed to a two-state solution, which envisions an independent State of Palestine living in peace and security alongside the State of Israel. A new political horizon is essential. We call on the international community to take urgent action to advance the Middle East Peace Process. Without it, the armed conflict may eventually cease, but there will be no winners: we will never be free of the violence, the loss of innocent lives, the

## Israel-Gaza conflict: New Zealand statements at the United Nations

hatred, the antisemitism, and the Islamophobia that has erupted in Israel, the Occupied Palestinian Territories, and around the world since 7 October.

As the UN Secretary-General has said, "Too many lives – and the fate of the entire region – hang in the balance". We cannot afford to fail. We must act now.

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## Israel-Gaza conflict: New Zealand statements at the United Nations

### **Annex Two: Draft statement for delivery in the UN General Assembly**

#### **New Zealand National Statement**

#### **General Assembly Emergency Special Session**

**26 (TBC) October 2023**

President

[Acknowledge any briefers][Acknowledge the Secretary-General if present].

New Zealand welcomes the convening of this General Assembly Emergency Special Session.

[Given the UN Security Council has been regrettably unable to perform its responsibility to act on behalf of all Member States, it is incumbent upon us all - as members of the General Assembly - to exercise our collective political responsibility under the UN Charter to address matters of international peace and security.] **OR**

[We also welcome the adoption of the UN Security Council resolution earlier this week as a recognition of the urgent needs on the ground. Today's Emergency Special Session provides us, the wider membership of the General Assembly, with an opportunity to exercise our collective political responsibility under the UN Charter to address international peace and security.]

President, even as this Assembly convenes, the deadly violence and bloodshed in Israel and Palestine persists. By day's end, more civilians will have tragically and needlessly lost their lives, some of them infants and children – innocent victims of conflict.

New Zealand condemns absolutely Hamas' terrorist attacks on Israel. We are appalled by their brutality, their targeting of civilians, and the taking of hostages which are clear violations of international law. We call for the immediate release of all hostages. We support Israel's right to defend itself, in full compliance with international law, including in respect of any actions taken in Gaza. Ultimately though, there is no military solution that will bring about a just and lasting peace for Israelis and Palestinians.

## Israel-Gaza conflict: New Zealand statements at the United Nations

As UN Secretary-General Guterres has said, "We must ensure we advance all efforts to avoid any regional spill-over to the wider Middle East." We welcome all opportunities to de-escalate hostilities, including initiatives by the UN and other countries in the region and beyond.

This is not a time for political posturing or for using this conflict to advance any cause except bringing peace and security to Israel, Gaza and the wider region. It is a time for urgent de-escalation.

The protection of civilians, and delivery of urgent humanitarian assistance must remain a critical priority. We are deeply concerned about the significant flows of internally displaced persons. Their safety and security must be protected, including by establishing designated safe areas that are strictly off limits as targets, or for military use, and supplied through a humanitarian corridor. We expect Israel and Hamas to act in accordance with international humanitarian law, which imposes obligations upon all parties engaged in armed conflict.

President, there have been multiple reports of health facilities sustaining extensive damage, including the Al Ahli hospital which was struck on 14 October. When New Zealand last served on the UN Security Council in 2015-16, we championed Resolution 2286, which demands greater protection for healthcare in armed conflict, including hospitals and medical personnel.

Israel has an obligation under international humanitarian law, particularly the Fourth Geneva Convention, to provide basic needs for civilians in Gaza including food, water, energy, and shelter and to facilitate humanitarian aid. These legal obligations cannot be dispensed with in times of conflict. New Zealand urges all parties, including Israel and Egypt, to facilitate access for the delivery of urgent humanitarian assistance to civilians in Gaza, including the Kerem Shalom and Rafah border crossing. The volume of aid arriving in Gaza must significantly increase from recent levels.

For our part, New Zealand is supporting humanitarian appeals for populations in Gaza, the West Bank and Israel. And we stand ready to increase our support in the coming weeks.

Of course, humanitarian assistance is worthless if it cannot reach those in need. A humanitarian pause would provide a much needed opportunity for neutral, impartial, and independent

## Israel-Gaza conflict: New Zealand statements at the United Nations

humanitarian organisations to provide assistance and protection to those in Gaza desperately in need of it.

Finally, President, New Zealand remains committed to a two-state solution, which envisions an independent State of Palestine living in peace and security alongside the State of Israel. A new political horizon is essential. We call on the international community to take urgent action to advance the Middle East Peace Process. Without it, the armed conflict may eventually cease, but there will be no winners: we will never be free of the violence, the loss of innocent lives, the hatred, the antisemitism and the Islamophobia that has erupted in Israel, the Occupied Palestinian Territories, and around the world since 7 October.

As the UN Secretary-General has said, "Too many lives – and the fate of the entire region – hang in the balance". We cannot afford to fail. We must act now.

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27 October 2023

Minister of Foreign Affairs

For approval by

27 October 2023

### Israel-Gaza conflict: New Zealand position on General Assembly resolution

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**BRIEFING** Decision Submission

**PURPOSE** To seek your approval for New Zealand's voting position on a draft resolution to be considered during the UN General Assembly Emergency Special Session on the Israel-Gaza conflict.

### Recommended referrals

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Prime Minister

For information by

27 October 2023

### Contact details

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NAME	ROLE	DIVISION	WORK PHONE
s9(2)(g)(ii)		Middle East and Africa Division United Nations, Human Rights and Commonwealth Division	s9(2)(g)(ii)

### Minister's Office to complete

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- |  |   |                                    |
|--|---|------------------------------------|
| <input type="checkbox"/> Approved            | <input type="checkbox"/> Noted                | <input type="checkbox"/> Referred  |
| <input type="checkbox"/> Needs amendment     | <input type="checkbox"/> Declined             | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Overtaken by events | <input type="checkbox"/> See Minister's notes |                                    |

**Comments**

## Israel-Gaza conflict: New Zealand position on General Assembly resolution

### Key points

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- As outlined in the Ministry's submission of 24 October, there are two occasions this week for Aotearoa New Zealand to deliver national statements on the Israel-Gaza conflict at the United Nations in New York.
- The first was the UN Security Council debate, which took place on Tuesday 24 October. New Zealand's Permanent Representative delivered the national statement with content agreed by you, and as consulted with the Prime Minister and the Leader of the Opposition.
- The second is an Emergency Special Session of the UN General Assembly (GA), which began yesterday and will continue on Friday 27 October New York time (Saturday NZT). The meeting was convened following a formal request by Mauritania and Jordan.
- On 26 October, you approved a **statement for delivery in the GA**. Given lengthy initial meeting interventions, the national statement will now be delivered on Friday 27 October New York time (overnight Friday NZT).
- Jordan, Egypt, Palestine and the Arab League (Permanent Observer Office) have proposed a **resolution for adoption** by the GA during the Emergency Special Session and, if tabled, New Zealand will be required to vote on it. Given the format of the meeting, the resolution requires a two-thirds majority to pass. Officials assess that it is more likely than not for the resolution to pass, however the two-thirds majority required, and the highly politicised environment makes this particularly difficult to judge.
- The meeting is expected to vote on the resolution at the end of the General Assembly session on Friday 27 October New York time (Saturday NZT).
- The proposed General Assembly resolution follows the repeated failure of the UN Security Council to agree a resolution and reflects the increasing focus on the humanitarian impact of the Israel-Gaza conflict.
- s6(a)

• s6(a)

## Israel-Gaza conflict: New Zealand position on General Assembly resolution

• s6(a)

• s6(a)

- Overall, the text has developed in a direction that, on balance, officials assess New Zealand could support with a “yes” vote, s6(a)
- In addition, Canada has proposed an amendment that condemns the terrorist attacks by Hamas and calls for unconditional release of hostages. This amendment will itself require a two-thirds majority to pass and we recommend that New Zealand co-sponsor the proposal as more squarely in line with our policy position, and vote in support. Officials assess s6(a)  
s6(a)
- When considering New Zealand’s voting position, s6(a)  
s6(a)
- s6(a)
- As the resolution may under-go last minute negotiations and amendment, we set out some key principles and elements to guide a final voting decision. Noting there may be limited scope for direct negotiation of text, New Zealand’s preferred resolution would contain:
  - a call for de-escalation and practical intermediate steps (such as a humanitarian pause, humanitarian corridors, safe areas) to allow for urgent humanitarian assistance to be provided, and, ideally, as a path to a longer term ceasefire;
  - a call for all parties to observe international humanitarian law and an emphasis on the critical need to protect civilian lives;
  - a condemnation of the Hamas terrorist attacks;
  - content consistent with Israel’s right to defend itself, in full compliance with international law;
  - a call for the immediate release of all hostages;



Israel-Gaza conflict: New Zealand position on General Assembly resolution

- a call for humanitarian access to conflict affected areas;
- calls for restraint;
- reference to a two-state solution if possible,

Officials note there may be other resolutions tabled for consideration (or lesser decisions around procedure for future Emergency Special Sessions) for which these principles will be used, where further consultation is not practicable.

s9(2)(g)(ii)

for Secretary of Foreign Affairs and Trade

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Israel-Gaza conflict: New Zealand position on General Assembly resolution  
 Recommendations

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It is recommended that you:

- |   |  |                 |
|---|--|-----------------|
| 1 | <b>Agree</b> that on the basis of the existing text, or amended text consistent with the policy principles in this submission, New Zealand should vote in support of the proposed General Assembly resolution, s6(a) | <b>Yes / No</b> |
| 2 | s6(a)  | <b>Yes / No</b> |
| 3 | s6(a)  | <b>Yes / No</b> |
| 4 | <b>Agree</b> that New Zealand should co-sponsor the Canadian amendment proposal, and vote in support of the amendment.   | <b>Yes / No</b> |
| 5 | s6(a)  | <b>Yes / No</b> |
| 6 | s6(a)  | <b>Yes / No</b> |
| 7 | <b>Refer</b> a copy of this submission to the Prime Minister, Rt Hon Chris Hipkins, including for sharing with the Leader of the Opposition.   | <b>Yes / No</b> |

Hon Nanaia Mahuta  
 Minister of Foreign Affairs / Minita Take Aorere

Date:        /        /

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