

Proactive Release

Date: 2 July 2025

The following Cabinet paper and related Cabinet minute have been proactively released by the Ministry of Foreign Affairs and Trade:

Title	Reference
Minute of Decision: Report of the Cabinet Legislation Committee: Period Ended 16 May 2025	CAB-25-MIN-0162
Government response to petition of Maher Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding https://petitions.parliament.nz/e4d434ac-b252-4526-e1b2-08dcac7e9028	

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Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 16 May 2025

On 19 May 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 16 May 2025:

LEG-25-MIN-0078

**Government Response to the Petition of Maher
Nazzal on behalf of NZ All Out for Gaza**
Portfolio: Foreign Affairs

CONFIRMED

Proactively Released by the Minister of Foreign Affairs

Proactively Released by the Minister of Foreign Affairs

Diana Hawker
for Secretary of the Cabinet

In Confidence

Office of the Minister of Foreign Affairs

Chair, Cabinet Legislation Committee

Government response to the petition of Maher Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding

Purpose

- 1 This paper seeks approval of the Government's response to the Petitions Committee referral of the petition entitled "*Mahar Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding.*"

Background

- 2 On 20 February 2025, the Petitions Committee referred the petition of Maher Nazzal on behalf of NZ All Out for Gaza to the Minister of Foreign Affairs for response under the Standing Order 380.
- 3 The petition requests that the New Zealand Government:
 - intervene in *South Africa v Israel*, a case that is currently being considered by the International Court of Justice;
 - impose sanctions on Israel;
 - recognise Palestine as a state; and
 - increase financial contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).
- 4 The backdrop to this petition is the decades-old Israeli-Palestinian conflict.
- 5 On 7 October 2023, Hamas carried out the worst terrorist attack in Israel's history. Approximately 1,200 people were killed and 251 were taken hostage. Israel responded with a ground invasion of Gaza that, to date, has killed an estimated 50,000 people and displaced 90% of Gaza's population. A ceasefire deal between Israel and Hamas was announced in January 2025 but broke down in March 2025. The conflict is ongoing, and a range of discussions are taking place internationally on the future of Gaza and related issues.
- 6 New Zealand's foreign policy settings on matters relating to Israel and Palestine are long-standing. Our bipartisan positions have remained largely unchanged for decades. New Zealand's approach includes:

- support for a comprehensive and sustainable two-state solution, with secure and recognised borders for both Israel and Palestine (based on 1967 lines);
- support for Israel's right to exist in peace and security;
- support for the right of the Palestinian people to self-determination; and
- recognition that direct negotiations between the parties are the only way to achieve a sustainable agreement, and a call for the return to such negotiations.

7 New Zealand has maintained a consistent and principled position on the conflict since 7 October 2023. We have:

- Condemned the terrorist attacks carried out by Hamas in Israel on 7 October 2023.
- Urged Hamas to release hostages.
- Designated Hamas in its entirety as a terrorist entity.
- Called for full implementation of the ceasefire in Gaza.
- Repeatedly emphasised that all parties must abide by their obligations under international law.
- Advocated for safe, rapid, and unimpeded humanitarian access, and the protection of humanitarian workers.
- Provided NZ\$29.5 million in financial support to the humanitarian response.
- Reiterated that the best path to peace is a two-state solution where Israelis and Palestinians can live side-by-side in peace, security, and dignity.
- Urged regional partners to use their influence to de-escalate tensions and avoid a wider regional conflict.
- Opposed the establishment of Israeli settlements in the occupied Palestinian territories, which are illegal under international law.
- Announced travel bans against extremist Israeli settlers.

8 Since the 7 October 2023 Hamas terrorist attacks on Israel and subsequent Israeli military offensive in Gaza, there has been significant public interest in the broader Israeli-Palestinian conflict. This is the third petition on this set of issues in the last six months.¹

¹ The other two petitions are the Petition of Geoffrey Mortlock: Impose sanctions on Israel until it withdraws from all Palestinian territory (presented 19 November 2024) and the Petition of Muhammad Dahlan: Create a special visa for Palestinians in Gaza who have family members in NZ (presented 15 November 2024).

Comment on the Government response

- 9 This paper recommends that the Government inform the petitioner that the Government is not able to respond positively to the petitioner's request "*That the House of Representatives urge the Government to join South Africa's International Court of Justice case against Israel concerning genocide in Gaza, sanction Israel and their supporters violating international law, recognise Palestinian statehood, and increase humanitarian aid funding to the United Nations Relief & Works Agency.*" This is because 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 of Foreign Affairs and Trade to continue to make decisions on foreign policy.
- 10 The Government's positions on the topics raised by the petitioner are:
- South Africa v Israel: This case is at an early stage and is likely to take several years. The Government has not yet made a decision on whether it will intervene in *South Africa v Israel*. The International Court of Justice made provisional measures orders on 26 January, 28 March, and 24 May 2024. The Court's orders are binding, and the Government has publicly stated New Zealand's expectation that Israel adhere to them.
 - Sanctions: New Zealand has imposed travel bans on some extremist Israeli settlers. We do not have the legislative framework to impose comprehensive sanctions. Sanctions are most effective when they form part of a concerted international effort, and New Zealand's partners have not imposed comprehensive sanctions against Israel (beyond sanctioning extremist Israeli settlers).
 - Palestinian statehood: Successive New Zealand governments have supported the establishment of a Palestinian state as part of the two-state solution. Recognition of Palestinian statehood is a matter of 'when, not if' for New Zealand. But our present focus is on full implementation of the ceasefire deal. Absent a negotiated two-state solution, a unilateral assertion of Palestinian statehood would not alleviate the current plight of the Palestinian people.
 - UNRWA: UNRWA operates in a complex and challenging political context, and as such decisions on funding UNRWA are informed by foreign policy, development, humanitarian, and other considerations. Decisions on future support for UNRWA will be subject to advice and consideration by the Minister of Foreign Affairs later in 2025. This advice will consider UNRWA's performance, including its adherence to United Nations values and humanitarian principles such as neutrality. More time is needed to inform advice for such a decision given UNRWA's evolving operating environment.
- 11 New Zealand's position on each of these four issues is long-standing and well-established on the public record.

Timing of the Government response

12 The Government response must be presented to the House by 21 May 2025.

Consultation

13 No consultation is needed for this paper.

Financial implications

14 There are no financial implications for New Zealand.

Publicity

15 There are no publicity implications for New Zealand.

Proactive Release

16 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 11 December 2025, the petition entitled "*Mahar Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding*", was presented to the Petitions Committee.
- 2 Note that on 20 February 2025, the petition entitled "*Mahar Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding*", was referred to the Minister of Foreign Affairs for response.
- 3 Note that the Minister of Foreign Affairs recommends that the Government not respond positively on the petitioner's request "*That the House of Representatives urge the Government to join South Africa's International Court of Justice case against Israel concerning genocide in Gaza, sanction Israel and their supporters violating international law, recognise Palestinian statehood, and increase humanitarian aid funding to the United Nations Relief & Works Agency.*"
- 4 Approve the Government response, attached to this submission, entitled "*Mahar Nazzal on behalf of NZ All Out for Gaza: Join ICJ Case, Sanction Israel, Recognise Palestine, and increase UNRWA Funding.*"
- 5 Note that the Government response will be presented to the House by 21 May 2025.
- 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

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