

21 January 2026

195 Lambton Quay
Private Bag 18-901
Wellington 6160
New Zealand

T +64 4 439 8000
F +64 4 472 9596

OIA 30598

Personal Details removed for Proactive Release

Personal Details removed for
Tēnā koe Proactive Release

Thank you for your email of 11 December 2025, in which you request the following under the Official Information Act 1982 (OIA):

"I am requesting information about the Ministry's response to the findings of the United Nations report Gaza Genocide: a collective crime.

Does the government accept or reject the findings? Specifically referencing IV. A. 23. Isolated diplomatic actions effectively condone the Israeli State system and structures as a whole.

What does the government plan to do about accusations of complicity in Gaza genocide?"

Response to your request

The part of your OIA request that asks for the Ministry of Foreign Affairs and Trade's (the Ministry) response to the findings of the report titled, "Gaza Genocide: a collective crime", by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, is refused under section 18(e) of the OIA, as the information does not exist.

The remainder of your request is not a request for information under the OIA because it does not ask for information held by the Ministry. The Ministry is not obliged to form an opinion or create information to answer a request. However, we have decided to provide you with some context on our current position in relation to this case:

The question of whether Israel has committed a genocide remains before the International Court of Justice in the *South Africa v Israel* case. The Court has not yet made a ruling on the substance of the very serious claims of genocide.

The Court has been clear in its advisory opinions that the humanitarian situation in Gaza is catastrophic. New Zealand shares that view. We have made it clear that what we have seen in Gaza is horrifying and unacceptable.

The Human Rights Council Independent Commission has made its views clear on genocide in its report "Legal analysis of the conduct of Israel in Gaza pursuant to

the Convention on the Prevention and Punishment of the Crime of Genocide". These views should be taken seriously.

The Minister of Foreign Affairs Rt Hon Winston Peters' Letter to John Minto on 22 July 2025 states:

The New Zealand Government takes its international obligations very seriously. The New Zealand Government has not failed to comply with those obligations in respect of the conflict in Gaza. To the contrary, the Government has consistently emphasised the importance of international law, and New Zealand's expectation that the parties to the conflict will comply fully and immediately with their obligations.

The full text of this letter is publicly available on the Israel-Hamas conflict webpage: <https://www.mfat.govt.nz/assets/OIA/OIA-2024/MFA-letter-to-John-Minto-National-Chair-Palestinian-Solidarity-Network.pdf>.

For further information on New Zealand's international legal obligations in relation to the Israel-Hamas conflict and the Convention on the Prevention and Punishment of the Crime of Genocide 1948 please refer to the [Israel-Hamas Conflict](#) webpage on the Ministry website at <https://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



Sarah Corbett
for Secretary of Foreign Affairs and Trade