

13 July 2026

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Thank you for your email of 24 June 2026, in which you request the following under the Official Information Act 1982 (OIA):

"I am looking for a New Zealand declaration deposited to the UN Secretary-General on 10 November 1988. It dealt with the treaty making capacities of Niue and the Cook Islands as states in free association. It has been cited as "UNGA LE 222 New Zealand" but I have been unable to find the declaration itself. Any aid would be greatly welcome."

Response to your request

Attached are the following documents in scope of your request:

1. New Zealand declaration deposited to the UN Secretary-General on 10 November 1988, dated 10 November 1988

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



Owen Thornber
for Secretary of Foreign Affairs and Trade



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cc 702/2/6

The Permanent Representative of New Zealand to the United Nations presents her compliments to the Secretary-General of the United Nations and has the honour to bring to his notice the following Declaration setting out the position of the Cook Islands and Niue with respect to New Zealand Treaty actions:

"WHEREAS the Cook Islands and Niue are self-governing states in voluntary free association with New Zealand resulting from acts of self-determination supervised and approved by the United Nations in accordance with General Assembly Resolution 1514 (XV);

AND WHEREAS the Governments of the Cook Islands and Niue have exclusive executive and legislative competence to implement treaties in the Cook Islands and Niue;

AND WHEREAS in accordance with the constitutional relationship which exists between New Zealand and the Cook Islands and New Zealand and Niue, there have been consultations between the Government of New Zealand and the Governments of the Cook Islands and Niue regarding New Zealand treaty actions;

AND WHEREAS the Government of the Cook Islands and the Government of Niue have requested that henceforth no treaties signed, ratified, accepted, approved or acceded to by the Government of New Zealand shall extend to the Cook Islands or Niue unless the Instrument of Ratification, Acceptance, Approval or Accession specifically so states;

NOW THEREFORE IT IS HEREBY DECLARED that:

1. No treaty signed, ratified, accepted, approved or acceded to by New Zealand from the date of receipt of this Declaration by the Secretary-General of the United Nations will extend to the Cook Islands or Niue unless the treaty is signed, ratified, accepted, approved or acceded to expressly on behalf of the Cook Islands or Niue.

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2. Existing treaties applicable to the Cook Islands or Niue will continue to be applicable in accordance with their terms and subject to the rules of international law.
3. In the event that the Government of the Cook Islands or the Government of Niue desires that a treaty to which New Zealand is party but which was not expressly extended to the Cook Islands or Niue, should subsequently be so extended, the right is reserved to withdraw the territorial limitation provided for in paragraph 1 of this Declaration, by notification to the appropriate Depositary.

.. Nothing in this Declaration shall limit any right of the Cook Islands or Niue to become party directly to any treaty which is open to the Cook Islands or Niue in their own right."

The Permanent Representative of New Zealand has the honour further to request that this Declaration be circulated to all members of the United Nations and the Specialised Agencies in order that they will have notice of the position.

ANN HERCULUS



Permanent Mission of New Zealand
to the United Nations
NEW YORK

10 November 1988