

Hon Dr Ayesha Verrall

Minister for COVID-19 Response
Minister of Research, Science and Innovation
Minister for Seniors
Associate Minister of Health



Chuck Schooner
Email: fyi-request-19377-a27fa158@requests.fyi.org.nz

Ref. CHOIA265

Tēnā koe Chuck

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 17 May 2022 to the former Minister for COVID Response, Hon Chris Hipkins. I am responding to you as the matters you raise now fall within my portfolio responsibilities. You specifically requested:

“...any and all legal advice / documentation around the proposed global pandemic treaty and the impact this power grab will have on the sovereign rights of New Zealanders.”

Thank you for your interest in the development of a convention, agreement, or other international instrument to strengthen pandemic prevention, preparedness and response.

These negotiations are being taken forward via an [Intergovernmental Negotiating Body \(INB\)](#) involving all WHO Member States including New Zealand. Member States drive this treaty-making process, and it is up for governments to jointly determine what actions will be required to better prevent, prepare and respond to a future pandemic. As negotiations within the INB are at an early stage and the exact form of the instrument is yet to be decided, New Zealand has not yet developed a legal opinion on this matter. Therefore, your request for “legal advice” is refused under section 18(e) of the Act, as the information requested does not exist.

Governments are working to finalise a draft instrument for Member States’ approval by the 77th World Health Assembly in 2024. Further information is available at: www.who.int/about/governance/world-health-assembly.

In New Zealand, approval of a legally binding instrument (ie, a treaty) requires an appropriate Cabinet mandate and parliamentary treaty examination. You can access an overview of the international treaty making process in New Zealand available here: www.mfat.govt.nz/assets/About-us-Corporate/Treaties-Model-instruments/International-Treaty-Making-Guide-2021.pdf.

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Please be assured that consultation opportunities will be available on the Ministry of Health website in due course and will remain available as negotiations progress. In the meantime, you may be interested in an overview of the international treaty making process in New Zealand, which is available at: www.mfat.govt.nz/assets/About-us-Corporate/Treaties-Model-instruments/International-TreatyMaking-Guide-2021.pdf.

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Ayesha Verrall'.

Hon Dr Ayesha Verrall
Minister for COVID-19 Response