

10 October 2024

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

David Cumin
fyi-request-27940-79ea358a@requests.fyi.org.nz

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

OIA 29715, 29728, 29629
and 29740

Tēnā koe David Cumin

Thank you for your emails dated 21 August, 12 September, 28 September 2024, and 10 October 2024 in which you request the following under the Official Information Act 1982 (OIA):

21 August 2024 (OIA reference: 29629)

all docs you hold that mention the UN exhibition referred to above, specifically with regard to the panel featuring the terror attack on NZ soil.

12 September 2024 (OIA reference: 29715)

Our question to you

Despite the evidence, responses to several OIA requests from your agency denies there is any incitement, hatred, or support for terror, and that UNRWA does not employ terrorists or staff who incite or support terror. Could you please explain the discrepancy between the publicly available evidence and the stated position of your agency?

28 September 2024 (OIA reference: 29728)

We request all correspondence regarding the most recent vote at the UN in which New Zealand was an outlier among the Five Eyes (A/ES-10/L.31). Specifically:

- any advice about whether to withhold information from cabinet until the vote or whether it is appropriate to inform cabinet;*
- all correspondence that critiques the substance of the resolution in any way; and*
- any correspondence that describes the benefits to NZ of voting for the resolution.*

10 October 2024 (OIA reference: 29740)

We request all documents you hold relating to NZs position on Qatar being elected to the UN Human Rights Council.

Specifically, we are interested to know:

- how NZ voted at the UNGA;*
- if that vote was with Ministerial approval;*
- what briefing was given to decision-makers about the vote; and*
- if there has been any suggestion by any MFAT staff that NZ should express concern about a human rights abusing country sitting on the human rights Council.*

On 19 September 2024, the deadline to respond to the request 29629 was extended by 15 working days.

On 11 September 2024, the Ministry of Foreign Affairs and Trade's (the Ministry) Chief Executive wrote to you outlining our concerns regarding the naming of Ministry staff on social media by the Israel Institute of New Zealand's (IINZ), including on X (formerly Twitter). We noted that the public naming of individual Ministry staff in such posts on X is a clear interference with their privacy, and breach of Privacy Principles under the Privacy Act 2020. In addition, the repeated public naming of such individuals on social media, combined with negative and incorrect personal accusations, comprises online harassment.

Such online posts incorrectly accused Ministry staff of:

- gross hypocrisy;
- recommending funding for entities that promote hate and the erasure of Israel;
- recommending funding for extremism;
- supporting the sending of taxes to schools that glorify a terrorist; and
- supporting funding of schools that glorify Jew-murder.

These online posts expose the individuals to further online harassment and abuse and create a real risk of further personal and physical harassment and abuse, given heightened tensions in New Zealand society regarding the Israel-Hamas conflict.

Our Chief Executive asked that you, as a Director of IINZ, remove these posts by 18 September 2024. You have not done so and instead have made further concerning online posts naming Ministry officials.

The Ministry responds to all official information requests in accordance with the requirements of the OIA. Due to your actions outlined above and in the letter from our Chief Executive, we started withholding the names of Ministry officials from material provided to you pursuant to section 9(2)(g)(ii) of the OIA. However, it appears that you have continued to use the names of Ministry officials previously released to you and incorrectly linked them with information subsequently released to you under the OIA. You also appear to have made further negative personal accusations about such staff. These actions indicate that your OIA requests listed above are intended to gather further information to again be incorrectly linked online to individual Ministry staff in association with negative personal accusations. Such actions would expose those staff to further online harassment and abuse, along with heightened risk of personal and physical harassment and abuse. Accordingly, we have decided to refuse your requests listed above under section 18(h) of the OIA, on the basis that they are vexatious. We have not reached this decision lightly.

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

A handwritten signature in black ink, appearing to be 'SC', written in a cursive style.

Sarah Corbett
for Secretary of Foreign Affairs and Trade