

19 December 2024

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OIA 29836

Yasir Shaikh

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Tēnā koe Yasir Shaikh

Thank you for your email of 22 November 2024 in which you request the following under the Official Information Act 1982 (OIA):

*International Criminal Court (ICC) Arrest Warrant:*

- 1. Does the New Zealand Government recognize and accept the decision of the International Criminal Court (ICC) and the International Court of Justice (ICJ) to issue an arrest warrant for Israeli Prime Minister Benjamin Netanyahu?*
- 2. If Prime Minister Netanyahu were to visit New Zealand, would the New Zealand Government execute the ICC arrest warrant as per its legal obligations under the Rome Statute? If not, please provide a detailed explanation for this decision.*

*Trade and Business Transactions with Israel:*

- 3. Given the arrest warrant issued by the ICC, is New Zealand currently engaged in trade or business transactions with Israel? If such engagements continue, please explain the reasoning behind this policy, especially in light of the warrant against Prime Minister Netanyahu.*

*Foreign Relations and International Commitments:*

- 4. Has the New Zealand Government made any formal statements or taken any specific actions in response to the ICC's decision to issue the arrest warrant for Prime Minister Netanyahu?*
- 5. How does the New Zealand Government balance its international legal obligations with its ongoing diplomatic and economic relations with Israel?*

New Zealand's positions on a range of Israel-Palestine related matters, including a full list of national statements and votes at the United Nations, and responses to frequently asked questions including on international law, can be found here:

[www.mfat.govt.nz/en/countries-and-regions/middle-east/israel-hamas-conflict/](http://www.mfat.govt.nz/en/countries-and-regions/middle-east/israel-hamas-conflict/).

New Zealand has consistently supported the International Criminal Court's (ICC) role in upholding international law, including allegations of crimes in Gaza. The Ministry is aware of the decision by the ICC to issue arrest warrants for Israeli Prime Minister Benjamin Netanyahu, former Defence Minister Yoav Gallant, and Hamas Military Commander Mohammed Deif.

As the Prime Minister said publicly on 2 December 2024, New Zealand would uphold its legal obligations, with respect to an ICC issued arrest warrant. The Prime Minister's comments regarding the ICC's decision to issue the arrest warrant for Prime Minister Netanyahu are at minute 24.25 of the following clip:

[www.youtube.com/watch?reload=9&v=tqDQpZcCnTA](https://www.youtube.com/watch?reload=9&v=tqDQpZcCnTA)

Information on New Zealand's trade with Israel is available on the Statistics New Zealand website: [statisticsnz.shinyapps.io/trade\\_dashboard/](https://statisticsnz.shinyapps.io/trade_dashboard/)

Consequently your request is refused under section 18(d) of the OIA, as the information requested is publicly available.

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/](https://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](mailto: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](https://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'Owen Thornber', written over a horizontal line.

Owen Thornber  
for Secretary of Foreign Affairs and Trade