



NEW ZEALAND
FOREIGN AFFAIRS & TRADE



Ministry of Foreign Affairs and Trade
New Zealand

9 May 2018

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Jonathan Red
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Dear Jonathan Red,

I refer to your email of 11 March 2018 in which you request the following under the Official Information Act 1982 (OIA):

"I would like to request all information held by the Ministry regarding the following two properties - 24 Hatton Street in Wellington and 33 Rama Crescent in Wellington. These properties housed the chancery and the residence of the Embassy of the former Yugoslavia until 1992. The Appendix to Annex B of the Agreement on succession issues, signed by all five successor states of the former Yugoslavia in 2001 in Vienna, lists diplomatic properties of the former country abroad. On this list the two aforementioned properties are listed under the entry for New Zealand. They are listed as having a legal status of "ownership" however under comment column the entry says "Taken over by the Government of New Zealand since 1992".

More specifically I would like to request

-copy of the decision under which the properties were seized in 1992 and any potential subsequent decisions extending the hold -documents showing the current legal status and documents related to the current use of the two properties -any other documents pertaining to the status of these properties, especially recent correspondence with the authorities of Serbia, Slovenia, Croatia, Bosnia and Herzegovina or FYR Macedonia or the United Nations bodies."

I also refer to my letter of 23 March 2018 in which part of your request was partially transferred to Public Trust:

"copy of the decision under which the properties were seized in 1992 and any potential subsequent decisions extending the hold -documents showing the current legal status and documents related to the current use of the two properties -any other documents pertaining to the status of these properties,"

The Public Trust responded to you on 5 April 2018. I acknowledge your email to us of 11 April in which you requested again:

"-copy of the Order of the High Court of New Zealand dated 27 November 1992 (Public Trust was able to provide a copy of the Gazette Notice from 1992) -documents

showing the current legal status and documents related to the current use of the two properties"

As per Mike Pynenburg's email of 5 April 2018, Public Trust was appointed Manager of the property situated in New Zealand of the former Socialist Federal Republic of Yugoslavia by the High Court of New Zealand on 27 November 1992. Public Trust remains the appropriate agency to respond to this part of your request. The Ministry of Foreign Affairs and Trade holds no additional information.

This response covers your request for:

"especially recent correspondence with the authorities of Serbia, Slovenia, Croatia, Bosnia and Herzegovina or FYR Macedonia or the United Nations bodies."

Attached are documents relevant to your request. Some parts documents are withheld in full under the following sections of the OIA:

- 6(a): to avoid prejudicing the international relations of the New Zealand Government;
- 9(2)(a): to protect individuals' privacy; and
- 9(2)(h): to maintain legal professional privilege.

The remaining documents relevant to your request are withheld in full under section 6(a) of the OIA.

Where the information has been withheld under section 9 of the OIA, no public interest in releasing the information has been identified that would be sufficient to override the reasons for withholding it.

You have the right under section 28(3) of the OIA to seek a review of this response by the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wendy Adams', written in a cursive style.

Wendy Adams
for Secretary of Foreign Affairs and Trade