

22 June 2022

s 9(2)(a)

By email: s 9(2)(a)
Ref: H202206864

Tēnā koe s 9(2)(a)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health (the Ministry) on 24 May 2022 for:

Please release all details you have about the WHO treaty, including any draft contracts emails etc.

On 9 June 2022 the Ministry requested a clarification and refinement due to the broad scope of your request. On 10 June 2022 the Ministry received a response from you and request refined this to:

...any copies of the WHO treaty for New Zealand. If you do please provide the full treaty. If not please provide Jacinda Ardern's emails regarding this subject.

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

Member States of the World Health Organization, including New Zealand, jointly agreed to begin negotiating a new treaty (or instrument) at a special session of the World Health Assembly in November 2021. A pandemic treaty or instrument was a key recommendation of the Independent Panel for Pandemic Preparedness and Response, to help improve the global community's ability to respond to future pandemics. This information can be found on: www.theindependentpanel.org/about-the-independent-panel/.

The negotiations towards a new treaty or instrument are being taken forward via an [Intergovernmental Negotiating Body \(INB\)](http://www.who.int/newsroom/events/detail/2021/11/29/default-calendar/second-special-session-of-the-world-healthassembly) involving all WHO Member States including New Zealand. As part of the INB process, Member States will jointly determine what actions will be required to better prevent, prepare and respond to a future pandemic. If you are interested in learning more about the work of the INB, you can access further information at: www.who.int/newsroom/events/detail/2021/11/29/default-calendar/second-special-session-of-the-world-healthassembly.

New Zealand sees the establishment of the INB as an important step towards preparing the world for future health emergencies and ensuring that a global health crisis of this magnitude does not occur again. Governments are working towards an outcome by the 77th World Health Assembly in 2024: www.who.int/about/governance/world-health-assembly.

As negotiations within the INB are at an early stage and the exact form of the instrument is yet to be decided, there is no such WHO treaty currently in existence for us to provide you with. Therefore, your request for “any copies of the WHO treaty for New Zealand” is refused under section 18(e) of the Act, as the information requested does not exist. However, you may be interested to know that the Ministry is proactively releasing joint advice produced with the Ministry of Foreign Affairs and Trade (MFAT) that relates to negotiations towards a new pandemic treaty or instrument in the coming weeks. This information will be published at: www.health.govt.nz/about-ministry/information-releases/general-information-releases.

The Ministry does not have access to Rt Hon. Jacinda Ardern’s emails. However, you may wish to contact Department of the Prime Minister and Cabinet (DPMC) directly at: information@dpmc.govt.nz.

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. Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S. Turner', is positioned above the printed name and title.

Sarah Turner
Deputy Director-General
Office of the Director-General