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21 June 2023

s 9(2)(a)

Ref: H2023026024

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 Manatū Hauora (the Ministry of Health) on 26 May 2023 for information regarding the proposed amendments to the International Health Regulations (IHR). You requested:

"...can you please confirm if NZ would be bound by these changes, and if NZ is involved in the process as a consulting party?"

Aotearoa New Zealand is actively engaged in a number of WHO-led processes to reform and strengthen the global health architecture for pandemic prevention, preparedness and response (PPPR). These processes include the Member State-led Working Group on Amendments to the IHR (WGIHR), and the Intergovernmental Negotiating Body (INB) tasked with drafting and negotiating a new pandemic treaty or instrument. More information regarding the WGIHR and INB processes can be accessed here:

www.health.govt.nz/our-work/emergency-management/pandemics/strengthening-global-pandemic-prevention-preparedness-and-response.

The existing IHR are already binding on 196 countries, including New Zealand as a Member State of the WHO. The principal domestic statute used to give effect to IHR (2005) implementation is the Health Act 1956. However, there is no question that New Zealand and other WHO member countries will retain full sovereignty under any amendments to health regulations. It is in New Zealand's interests to ensure these regulations enable us to prevent and respond to future pandemics.

It is important to note that New Zealand will continue to determine the direction of and implement its own national health policy, and it will be for the New Zealand Government to decide whether to accept all or opt out of any amendments to the IHR. These decisions will be subject to New Zealand's treaty-making processes, including Cabinet approval, parliamentary treaty examination, and the passing of legislation if required.

I trust this information fulfils your request. 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 Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā

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

Dr Andrew Old
Deputy Director-General
Public Health Agency | Te Pou Hauora Tūmatanui