

NZCTU Resolution on the Israel/Palestine Conflict

UPDATED: August 2024

The New Zealand Council of Trade Unions Te Kauae Kaimahi (NZCTU) notes with extreme concern the ongoing genocide in Gaza, as well as the continued encroachment of illegal Israeli settlements in Palestinian territories. The NZCTU is extremely concerned that there is increasing risk of a broader regional conflict in the Middle East as a result of this. A regional war would have ramifications for workers everywhere, including in Aotearoa New Zealand.

The NZCTU recognises the “advisory opinion” on the unlawful Israeli occupation of Palestinian territories issued by the ICJ on 19 July 2024, and its implications for the international trade union movement and the New Zealand Government.

The ICJ advisory opinion titled “*Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*” clearly sets out the court’s position on Israel’s occupation of Palestinian territory and the obligations and responsibilities of the international community to respond as a consequence:

- “The State of Israel’s continued presence in the Occupied Palestinian Territory is unlawful [... and it] is under an obligation to bring to an end its unlawful presence [...] as rapidly as possible.” (Vote: 11-4)
- “All States are under an obligation not to recognise as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory and not to render aid or assistance in maintaining the situation created by the continued presence of the State of Israel in the Occupied Palestinian Territory.” (Vote: 12-3)
- “The United Nations, and especially the General Assembly [...] and the Security Council, should consider the precise modalities and further action required to bring to an end as rapidly as possible the unlawful presence of the State of Israel in the Occupied Palestinian Territory.” (Vote: 12-3)

The NZCTU is of the view that this has clear implications for New Zealand in areas of trade, investment, diplomacy, and immigration and the government must act accordingly. Six priorities are outlined below:

1. The government should issue a clearly articulated statement acknowledging the importance of the ICJ's advisory opinion and recognising New Zealand's obligations in light of it.
2. There needs to be a comprehensive review of all Crown financial institution investments, including scrutiny of the Superannuation Fund and Accident Compensation Corporation investment fund. By law, the Superannuation Fund must be invested to "avoid prejudice to New Zealand's reputation as a responsible member of the world community". The review should include all companies, listed bonds, and private equity funds the Crown institutions invest in.
3. The Ministry of Foreign Affairs and Trade should advise companies and individuals about ensuring they comply with international law. The Office of the UN High Commissioner for Human Rights has compiled a database of Israeli and global businesses involved in activities relating to settlements in the Occupied Territories. Export regulations, including the list of export prohibitions and restrictions, need to be revisited and updated if necessary.
4. New Zealand needs to consider what role it will play in the UN General Assembly, given the ICJ advice that the General Assembly finds a way to end the Israeli occupation. As one of the 51 founding members of the UN, New Zealand should play an active part in formulating the next steps.
5. That New Zealand support Palestinian self-determination and pursue recognition of Palestinian statehood based on the principles outlined in UN resolutions.
6. The government must urgently provide emergency evacuation and humanitarian visas to allow Palestinians in Gaza who have family members in New Zealand.

The NZCTU:

- Reiterates its call for an immediate and permanent ceasefire, and resolution of the Palestinian issue in line with international law and UN resolutions.
- Reiterates its previous positions, including support for UN resolutions and Boycott, Divestments, and Sanctions on institutions that profit from or support the occupation of the Palestinian Territories.
- Empowers NZCTU representatives in international forums to proactively raise these issues in those forums.