



04 February 2025



Ref: OIA-2024/25-0524

Dear 

**Official Information Act request relating to decision to designate Hezbollah as a terrorist entity**

Thank you for your Official Information Act 1982 (the Act) request, transferred from the Ministry of Foreign Affairs and Trade and received on 9 December 2024. You requested:

*"...all official advice provided to ministers regarding the designation of Hezbollah as a terrorist organisation as provided for under the Official Information Act."*

Please note, as your request was originally received by MFAT and we understand they have transferred your request to other relevant agencies, this response will only cover information held by the Department of the Prime Minister and Cabinet (DPMC) and provided to the Prime Minister, as the Minister responsible for DPMC.

Please also note, the decision to designate Hezbollah (aka Hizbollah) as a terrorist entity was considered alongside the decision to designate Ansar Allah (aka the Houthi) as a terrorist entity. The documentation relevant to your request therefore covers both designations and includes information on the Houthis, subject to withholding grounds.

**Information being released**

I have decided to release the relevant parts of the documents listed below, subject to information being withheld as noted.

Item	Date	Title or Document description	Decision
Item 1	17/09/2024	Briefing: Designation of Hizbollah and the Houthi as terrorist entities	Release with some information withheld under: s6(a), s6(d) s9(2)(a), s9(2)(g)(i) s9(2)(g)(ii)
Item 2	20/11/2024	Designation of Hizbollah and the Houthi as terrorist entities	Release with some information withheld under: s6(a), s9(2)(g)(i) s9(2)(g)(ii) s9(2)(h)
Item 3	Undated	Letter from the Prime Minister to the Commissioner of Police (filed 20 November 2024)	Release in full
Item 4	Undated	Letter from the Prime Minister to the Attorney-General (filed 20 November 2024)	Release in full
Item 5	Undated	Letter from the Prime Minister to members of the Intelligence and Security Committee (filed 20 November 2024)	Release in full

The relevant grounds under which information has been withheld are:

- Section 6(a), to protect the security or defence of New Zealand or the international relations of the Government of New Zealand
- Section 6(d), to maintain the safety of any person
- section 9(2)(a), to protect the privacy of individuals
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion
- section 9(2)(g)(ii), to prevent improper pressure or harassment
- section 9(2)(h), to maintain legal professional privilege

### **Information being withheld**

Also identified as relevant to your request are some briefings provided by the DPMC Policy Advisory Group to the Prime Minister. These briefings are provided to the Prime Minister in confidence to support him in his role as leader of the Government and chair of Cabinet. These briefings are withheld in their entirety under the following sections of the Act:

- section 6(a), to protect the security or defence of New Zealand or the international relations of New Zealand.
- section 9(2)(f)(iv), to maintain the confidentiality of advice tendered by or to Ministers and officials
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinion

Where section 9 of the Act applies, in making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to outweigh the reasons for withholding that information.

You are entitled to ask the Ombudsman to review this response under section 28(3) of the Act.

This response to your request for information regarding the designation of Hezbollah a terrorist entity will be published on DPMC's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Bridget White  
**Executive Director**  
**National Security Group**



# Briefing

## Designation of Hizbollah and the Houthi as terrorist entities

To: Rt Hon Christopher Luxon, Prime Minister			
Date	17/09/2024	Report Number:	DPMC-2024/25-216
		Priority level:	Routine

### Purpose

- This paper provides advice on designating the entirety of Hizbollah, and the Houthi (formally Ansar Allah), as terrorist entities under section 22 of the Terrorism Suppression Act 2002 (the Act), noting:
  - that the proposed designations would meet the Act's requirements, and
  - advice on other issues and associated risks to consider.
- If you wish to proceed, it provides advice on next steps (including consulting the Attorney-General), and initial advice on any public announcement once a final decision has been made.

### Executive Summary

- The National Security Board (NSB) has examined the evidence for designation of Hizbollah and the Houthi. While there are policy arguments for and against the designations, on balance, NSB recommends that you designate both entities.
- In reaching its recommendations, NSB considered:
  - the attached Statements of Case (**Attachments A and B**) which set out clear evidence of terrorist acts that meet the statutory test for designation;
  - a range of foreign policy, security, and humanitarian factors associated with the proposed designations, as set out in this paper, and which include considerations agreed by Cabinet in DES Minute (10) 2/5 (**Attachment C**); and
  - several risks – relating to community perceptions, s 6(a), 9(2)(g)(i), timing, New Zealand staff protection, and s 6(a) – but concluded these can be managed and do not outweigh the reasons for designation.
- Should you wish to proceed, you must consult with the Attorney-General about the proposed designations, including revocation of the existing designation of the Islamic Resistance (the military wing of Hizbollah), as the designation of Hizbollah in its entirety would supersede this.
- After the Attorney-General has responded DPMC will provide you with further advice and documentation to assist in finalising your decisions. This will include advice to support any



## Background

7. Designation of an entity under the Act gives effect to New Zealand’s international obligations to take steps to outlaw the financing of, participation in, and recruitment to, terrorist entities. General procedural and legal considerations that apply in relation to making any designation are set out in **Attachment C**.
8. Hizbollah is an armed organisation in Lebanon with political, social, and military components. Successive Prime Ministers have designated the military wing of Hizbollah, also known as the Islamic Resistance.<sup>1</sup> The entirety of Hizbollah has never been designated in New Zealand. s 6(a), 9(2)(g)(i)  
 [Redacted]
9. The Houthi is a militant and political organisation based in Yemen. s 6(a), 9(2)(g)(i)  
 [Redacted] Following Houthi actions in the Red Sea beginning in November 2023, officials have considered designation of the group.

## The National Security Board recommends designating Hizbollah and the Houthi

10. The National Security Board (NSB) has examined the evidence for designating Hizbollah and the Houthi. While there are policy arguments for and against, on balance, NSB recommends designating both entities. Key considerations for each entity are set out as follows.

### Hizbollah

11. NSB considered the following in support of designating the entirety of Hizbollah:
  - a. **Hizbollah has conducted terrorism** – through evidence and examples in the Statement of Case (**Attachment A**), there are clear links to terrorist acts. Designation would illustrate New Zealand standing against these acts.
  - b. s 6(a), 9(2)(g)(i) [Redacted]
  - c. **Partner alignment** – all Five Eyes partners except New Zealand currently designate the entirety of Hizbollah as a terrorist entity. Aligning with partners would strengthen the collective impact of those designations.
  - d. s 6(a), 9(2)(g)(i) [Redacted]
  - e. Provision of **humanitarian or development assistance** to Lebanon by the New Zealand Government and New Zealanders could continue – under the Act there is a humanitarian carve-out, enabling support for affected Lebanese

<sup>1</sup> Hizbollah was first designated in October 2010 and renewed in October 2013, September 2016, September 2019, and August 2022.

<sup>2</sup> The Houthi are also known as Ansar Allah, Ansarullah, the Houthis, or the Houthi Movement.



communities through humanitarian agencies (for example in response to a natural disaster or conflict). Background on the humanitarian implications of terrorist designation is provided in **Attachment C**.

12. NSB considered several risks, but agree these can be managed and do not outweigh the reasons for designation:

- a. s 6(d) [redacted] Any announcement of the designation would be accompanied by information addressing such concerns.
- b. s 9(2)(g)(i) [redacted]
- c. **Timing and perceptions** – there is escalating tension and sporadic conflict along the Israel-Lebanon border. An expanded designation may come at a time of acute regional crisis s 9(2)(g)(i) [redacted] This briefing provides initial advice on public communications. Updated advice will follow Attorney-General consultation.
- d. s 6(a) [redacted]

**The Houthi**

13. NSB considered the following in support of designation of the Houthi:

- a. **The Houthi have conducted terrorism** – as evidenced through examples in the Statement of Case (**Attachment B**), the Houthi have committed terrorist acts. Designation would illustrate New Zealand standing against these acts.
- b. **Broader Red Sea approach** – given the New Zealand deployment to the region s 6(a) [redacted] a designation under the Act would align political signalling against the Houthi and their disruption of maritime security.
- c. **Low impact on New Zealanders** – the assessed threat to New Zealanders in Yemen following a designation is low. s 6(a), 6(d) [redacted]

s 6(a) [redacted]

- d. **New Zealand’s humanitarian and development support to Yemen could continue** – the Act’s humanitarian carve-out would enable the government and New Zealanders to continue providing humanitarian and basic needs support for the benefit of affected Yemeni communities through humanitarian agencies. Yemen is experiencing one of the world’s worst humanitarian crises with 18.2 million people requiring protection and assistance in 2024 (~54% of the population).

14. NSB considered several risks that may be associated with a designation, but agrees these can be managed and do not outweigh the reasons for designation:

- a. s 6(a), 9(2)(g)(i)  
[Redacted]
- b. s 6(a)  
[Redacted]
- c. s 6(a)  
[Redacted]
- d. s 6(a)  
[Redacted]
- e. s 6(a), 6(d), 9(2)(g)(i)  
[Redacted]

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s 6(a)

s 6(a), 6(d), 9(2)(g)(i)

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

### Bill of Rights and Human Rights implications

19. Designating Hizbollah and the Houthi as terrorist entities would criminalise activities that enhance the ability of these entities to conduct terrorism and recruitment. **Attachment C** provides background on the legal implications of designation.
20. Designation could indirectly limit a range of rights and freedoms recognised in the New Zealand Bill of Rights Act 1990, including freedom of expression, freedom of association, freedom of peaceful assembly, protections for the cultural rights of minorities, freedom from discrimination on ethnic or religious grounds, and freedom of movement.
21. It is important to note that although freedom of association and freedom of peaceful assembly may be indirectly limited by designation, s5(5) of the Act preserves the right to protest or engage in advocacy, dissent, or industrial action.
22. In making your decision, you must consider whether any limitations to rights that might result from the proposed designations are proportionate to the importance of the objective (suppressing terrorist activities) and can be demonstrably justified in a free and democratic society. Officials consider that any such limits can be justified, for the following reasons:
  - a. These entities have committed terrorist acts. The purpose of the Act is to suppress terrorism. Designation gives effect to New Zealand's international obligations to contribute to suppress terrorism.
  - b. The objective of suppressing the terrorist activities of these entities is legitimate in a free and democratic society and is sufficiently important to justify some limitations on the above rights.
  - c. The potential limitation to rights is proportionate to the importance of the objective. We have not identified any alternative measure that would achieve the objective with less impairment on rights.



- d. There is a rational connection between the objective of suppressing these entities' terrorist activities and the limitations on the above rights that might result from designation.

23. Specifically, s 6(a), 9(2)(g)(i) [Redacted]  
 [Redacted]  
 [Redacted]  
 [Redacted]  
 [Redacted]

**Communications, media, and public interest**

24. Officials will provide up-to-date advice following your consultation with the Attorney-General to support any announcements and to mitigate risks. Initial considerations are set out below.

**Timing and messaging for an announcement warrants careful consideration**

25. The timing of an announcement should be considered in light of the latest events in the Israel/Palestine conflict and regional tensions in the Middle East. Notably, 7 October will mark the one-year anniversary since the start of the Israel-Hamas conflict. Domestically, the conflict has been polarising. s 9(2)(g)(i) [Redacted]  
 [Redacted]

26. New Zealand's Middle East foreign policy has been subject to heightened interest and any further designations in this region are likely to attract both domestic and international interest. Officials will ensure that messaging on any potential designation announcement is consistent with wider foreign policy settings on the Middle East.

27. s 6(a), 9(2)(g)(i) [Redacted]  
 [Redacted]  
 [Redacted] DPMC, with other agencies, would provide your Office with talking points, reactive Q & A, and a draft media statement.

28. s 6(a) [Redacted]  
 [Redacted]  
 [Redacted]  
 [Redacted]

**Proactive release of advice**

29. Given the significant public interest in New Zealand's Middle East foreign policy and the volume of OIA requests on similar designations, we propose proactively releasing advice relating to the designations following announcement of any decisions. Officials would work with your Office to progress this. The Statements of Case will be published on the Police website, as is standard procedure.

**Next steps**

**You are required to consult the Attorney-General before making a decision**

30. If you decide to proceed with expansion of the designation of Hizbollah and the designation of the Houthi, section 22(4) of the Act requires you to consult with the Attorney-General before designating. A draft letter to the Attorney-General is provided at **Attachment D**.

**DPMC will then support you to finalise your decisions**

31. Following consultation, DPMC will provide you with documentation to finalise your decisions, including letters to the Commissioner of Police as required. Following these

steps, the decision must be gazetted. Gazetting usually takes place a few days after a decision by the Prime Minister.

32. It is important to note that even if the criteria to designate are met, the decision to designate is not automatic, and is still at your discretion.

33. If you decide to designate the entirety of Hizbollah, you must follow this with a revocation of the current designation of the military wing, and the gazetting of that decision. Designation of the military wing will be superseded by and incorporated into the designation of Hizbollah in its entirety.

**Upcoming designations advice**

34. Officials intend to provide you with advice before the end of 2024 on potential renewals for existing designations due to expire on 14 December 2024, including Euskadi Ta Askatasuna (ETA), Partiya Karkeren Kurdistan (PKK), and Al Shabaab.

Attachments:	Title	Security classification
Attachment A:	Statement of Case: Hizbollah	<del>Restricted</del> Unclassified
Attachment B:	Statement of Case: Ansar Allah (Houthi)	<del>Restricted</del> Unclassified
Attachment C:	Procedural considerations for terrorist designations	<del>Restricted</del> Unclassified
Attachment D:	Letter to the Attorney-General	<del>Restricted</del> Unclassified

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## Attachment C: Procedural and legal considerations for terrorist designations

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### The Terrorism Suppression Act 2002

1. Entities listed by the United Nations Security Council Resolutions (UNSCRs) 1267 (1999), 1989 (2011), 2253 (2015) and 1988 (2011) Committees (the UN 1267 and 1988 Committees) are automatically designated as terrorist entities in New Zealand under the Act. The UN lists comprises of Al-Qaida, Islamic State of Iraq and the Levant, the Taliban and associated individuals and entities.
2. UNSCR 1373 leaves it to Member States to identify other entities against which they should act. The Act gives New Zealand the ability to designate non-UN-listed entities of any group or individual where there are reasonable grounds to believe they have knowingly planned, carried out, or participated in the planning or carrying out, of one or more terrorist acts.
3. Under section 22(1) of the Act, the Prime Minister may designate an entity as a terrorist entity if the Prime Minister believes on reasonable grounds that the entity has knowingly carried out, or has knowingly participated in the carrying out of, one or more terrorist acts.
4. If an entity is designated under the Act, it becomes an offence under New Zealand law to deal with the entity's property, financial, or related services, or to provide it with property, funds, or material support. The Attorney-General can apply for a forfeiture order for any specified property that is controlled or owned by a designated entity in New Zealand. It also requires any financial institution or person who suspects any property is owned by either entity to report the existence of the property to the Commissioner of Police.
5. It is also an offence to knowingly recruit for a group that is a designated entity or participate in such a group for the purpose of enhancing its ability to carry out a terrorist act. Neither simple membership of a designated entity nor expressions of support for a designated entity is an offence in New Zealand.
6. Designations can be subject to judicial review as acknowledged by section 33 of the Act, which can be triggered by any person with standing. This includes a member of the group if the group is designated, a lawyer on their behalf, or by a third party. Likewise, a party with an interest in the designation or the entity itself could request revocation of the designation almost immediately after the gazetting of the Prime Minister's decision.
7. A designation as a terrorist entity made under section 22(1) automatically expires after three years unless revoked or renewed by the Prime Minister prior to this time. In accordance with section 29B(3) of the Act, designations may be renewed, prior to their expiry date, for a further three years if the Prime Minister believes that reasonable grounds exist, as set out in section 22, for an entity to be designated.

### The statutory test and Cabinet mandate considerations

8. Statements of Case (**Attachments A and B**) provide the formal legal assessment that the statutory criteria for designation under the Act has been met for both Hizbollah and the Houthi. The Prime Minister is required under the Act to consult the Attorney-General about any proposed designation.
9. Once the statutory threshold has been established, in determining whether to advise the Prime Minister to exercise his discretion to designate, the National Security Board (NSB) must weigh other relevant considerations including those agreed by Cabinet in DES Minute (10) 2/5. These considerations are:
  - a. the need for New Zealand to contribute to the international security environment by preventing activities such as the recruiting, harbouring, participating in or financing of terrorist entities that fall outside the scope of the UN listing process;

- b. the threat posed by the entity to New Zealand, New Zealanders, or New Zealand interests, including offshore;
- c. the entity's New Zealand or regional presence, or links with New Zealanders; and
- d. the nature and scale of the entity's involvement in terrorist acts or support activity.

### **Process for assessing and confirming terrorist designations**

10. The Terrorist Designations Working Group (TDWG) manages the process for advising NSB on the designation of non-UN-listed terrorist entities in support of UNSCR 1373. The TDWG is chaired by New Zealand Police and includes officials from DPMC, NZDF, Crown Law Office, MFAT, and the Combined Threat Assessment Group (CTAG).<sup>5</sup>

### **Humanitarian implications**

- 11. Designations and other counterterrorism or sanction measures (collectively 'restrictive measures') can have unintended consequences for humanitarian action.
- 12. Restrictive measures can have practical implications for the efficiency or efficacy of humanitarian operations. For example, additional compliance requirements can cause delays or make it difficult for aid organisations to access financial services. Restrictive measures can also impact on adherence to humanitarian principles (humanity, neutrality, impartiality, and independence). For example, by limiting engagement with non-state armed groups or de facto authorities that control areas with people in need of assistance.
- 13. Taken collectively, restrictive measures can have a 'cooling effect' on humanitarian action in a particular country. Humanitarian agencies, financial services or private entities may pull back from engagement in a particular country to 'reduce risk' or because of the impact restrictive measures may be having on the humanitarian operating environment.
- 14. New Zealand has a 'humanitarian carve out' in the Act to protect humanitarian activities. Sections 8(5) and 10(1)(b) provide that support related to satisfying basic needs of the recipient is not an offence under those sections. Humanitarian exemptions are widely considered to be the best way to protect principled humanitarian action from the unintended impacts of restrictive measures.

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<sup>5</sup> The Combined Threat Assessment Group (CTAG) is an inter-agency group hosted and led within the New Zealand Security Intelligence Service. The group gives independent assessments to government agencies about threats to New Zealand, New Zealanders, and New Zealand's interests abroad. CTAG is made up of analysts from NZSIS and other government agencies, including: New Zealand Police, New Zealand Defence Force, Government Communications Security Bureau, the Civil Aviation Authority and Aviation Security Service, and the Department of Corrections.

## Attachment D: Draft letter to the Attorney-General

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DD September 2024

Hon Judith Collins KC  
Attorney-General  
Parliament Buildings

Dear Attorney-General

### **Proposed designation of Hizbollah and the Houthi as terrorist entities under the Terrorism Suppression Act 2002**

Section 22(4) of the Terrorism Suppression Act 2002 provides that, before designating an entity as a terrorist entity, the Prime Minister must consult with the Attorney-General about the proposed designation. I propose to designate, subject to your views, the entirety of Hizbollah, and the Houthi.

I propose to follow this by revoking the existing stand-alone designation of the military wing of Hizbollah, also known as Islamic Resistance, under section 29C of the Act, as the designation of the entirety of Hizbollah would supersede and incorporate this.

The National Security Board is responsible for recommending designations to the Prime Minister. I attach for your consideration the advice I have received from the Chair of the National Security Board and the Statements of Case which assess each entity against the statutory criteria for designation.

I look forward to your views on the proposed designations.

Yours sincerely

Rt Hon Christopher Luxon  
**Prime Minister**





# Briefing

## Designation of Hizbollah and the Houthi as terrorist entities

To: Rt Hon Christopher Luxon, Prime Minister

Date	20/11/2024	Priority level:	Priority
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### Purpose

1. This briefing recommends you finalise your decisions to designate the entirety of Hizbollah, and the Houthi, as terrorist entities under the Terrorism Suppression Act 2002 (the Act).

### Executive Summary

2. You received advice from DPMC on behalf of the National Security Board recommending you designate the entirety of Hizbollah, and the Houthi, as terrorist entities [DPMC-2024/25-216]. You agreed, subject to consultation with the Attorney-General.
3. You have received the Attorney-General's response (**Attachment A**). This briefing provides further advice on the matters raised by the Attorney-General. DPMC assess the potential limitations on rights noted by the Attorney-General are justified and proportionate to the objective of suppressing terrorism. We recommend you proceed with the designations.
4. If you agree to designate both groups, **Attachment B** provides a letter to the Police Commissioner to give effect to your decisions, notice of which would then be published in on your behalf in the New Zealand Gazette. This would include revocation of the existing designation of the military wing of Hizbollah. **Attachment C** provides a letter to the Attorney-General acknowledging her advice and advising of your decisions. **Attachment D** provides a letter to the Intelligence and Security Committee to advise of the designations. This is an optional courtesy, as occurred for the Hamas designation.
5. Subject to your agreement, a draft Communications Plan including a press release and reactive talking points is available at **Attachment E**. s 6(a) [redacted] Officials will conduct outreach to NZ-based faith and ethnic community organisations and leaders after the designations are publicly notified to inform them and provide additional information for their communities.
6. The timing and messaging of any public notification will require careful consideration. s 6(a) [redacted] Domestically, concern about events in the Middle East remain heightened. s 6(a) [redacted]. Officials will continue to work closely with your Office to manage risks and support communications.



## Recommendations

We recommend you:

1. **note** you previously agreed to designate the entirety of Hizbollah, and the Houthi, as terrorist entities under the Terrorism Suppression Act 2002, subject to the required consultation with the Attorney-General [DPMC-2024/25-216];
2. **note** the Attorney-General's reply is included as **Attachment A**; this briefing provides advice in response to the additional matters raised by the Attorney-General to consider when finalising your decisions;
3. **agree** to designate the entirety of Hizbollah as a terrorist entity under section 22 of the Act, and to revoke the existing designation of the Islamic Resistance (the military wing of Hizbollah) under section 29C of the Act, as the designation of Hizbollah supersedes this; **YES / NO**
4. **agree** to designate the Houthi as a terrorist entity under section 22 of the Act; **YES / NO**
5. **sign** the letter to the Commissioner of Police (**Attachment B**) to give effect to the above decisions, notice of which would then be published on your behalf in the New Zealand Gazette; **YES / NO**
6. **sign** the letter to the Attorney-General (**Attachment C**) to acknowledge her advice, advise her of your decisions, and to forward a copy of this briefing for her information; **YES / NO**
7. **sign** the optional letter to the Intelligence and Security Committee (**Attachment D**) advising of the designations; **YES / NO**
8. **note** the draft Communications Plan (**Attachment E**) which outlines the approach to public notification of the designations;
9. **forward** this briefing to the Minister of Foreign Affairs and the Minister of Police for their information; and **YES / NO**
10. **agree** officials work with your office to proactively release advice relating to these designations following public notification of any decisions, subject to any appropriate withholding of information under the Official Information Act 1982. **YES / NO**

**Ben King**  
**Chief Executive DPMC**  
**Chair, National Security Board**

15 November 2024

s 9(2)(g)(ii)

**Rt Hon Christopher Luxon**  
**Prime Minister**

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## Background

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7. On 17 September 2024, you received advice from DPMC on behalf of the National Security Board recommending you designate the entirety of Hizbollah and the Houthi as terrorist entities [DPMC-2024/25-216]. You agreed with the recommendation, subject to consultation with the Attorney-General as required by the Act. The Attorney-General's reply is included as **Attachment A**.

s 9(2)(h)



s 9(2)(h)



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s 9(2)(h)

### **We recommend you proceed with the proposed designations**

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28. The intent of a terrorist designation under the Act is to reduce the ability of the designated entity to carry out terrorist acts by criminalising certain types of participation in, and the provision of material support to, those entities. This inherently provides a limit on New Zealanders' actions. As with all terrorist designations, the designation of Hizbollah and the Houthi would curtail the ability of people to support these entities to carry out terrorist acts.
29. Given our advice set out in this briefing and in DPMC-2024/25-216, and given the nature of the terrorist activities outlined in the Statements of Case (attached to DPMC-2024/25-216), DPMC's position is that:
- the proposed designations support the objective of suppressing the terrorist activities of Hizbollah and the Houthi, which is a legitimate and sufficiently important policy objective to justify some limitation on rights;
  - there is a rational connection between the objective of suppressing support to Hizbollah and the Houthi and those groups' ability to continue to commit terrorist acts and the limits on rights that may result from designation; and
  - any such limits on the rights of those who wish to provide support to Hizbollah and the Houthi's terrorist activities are proportionate to the importance of the policy objective, as suppressing terrorist activity is a more highly weighted policy objective in this instance because support for this entity could result in other rights (for example, the right to life) being impacted.
30. As such, **we recommend you proceed with the proposed designations**. There is the potential for judicial review of your decision. Officials assess this risk is manageable.

### **Communications, media, and public interest**

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31. The only legal requirement for announcement of a designation is that it must be publicly notified in the New Zealand Gazette as soon as possible after the decision. Once the designation is gazetted, media are likely to become aware of it. In the past this step has been accompanied by a press release for new designations.
32. It is usual practice to issue a press release for new designations. You have received a separate briefing seeking a decision to renew the designations of Al-Shabaab and Partiya Karkerên Kurdistanê (PKK) as terrorist entities and allow the designation for Euskadi Ta Askatasuna (ETA) to expire [DPMC-2024/25-489]. While it is not common



practice to issue a press release for renewals, we are including the decision relating to all five entities in one press release. This will streamline the process as they will be gazetted at the same time.

- 33. A draft Communications Plan (**Attachment E**) provides you with a draft press release and reactive talking points to support any public notification of the designation decisions in this paper and for Al-Shabaab, PKK and ETA. It outlines proposed engagement by officials with key international partners and New Zealand-based faith and ethnic community organisations and leaders.
- 34. The timing and messaging of a public notification will require careful consideration. Balanced messaging and community outreach after the announcement will help to ensure the designations do not unduly heighten tensions within and between different domestic communities. Internationally, officials will ensure that key partners are informed, and messaging is consistent with our wider foreign policy settings on the Middle East s 6(a)
- 35. Given the significant public interest in New Zealand's Middle East foreign policy and the volume of OIA requests on similar designations, we propose proactively releasing advice relating to the designations following public notification of any decisions. Officials would work with your Office to progress this. The Statements of Case would be published on the Police website, as is standard procedure.

**Next steps**

- 36. If you agree to designate both groups, **Attachment B** provides a letter for you to sign to the Police Commissioner to give effect to your decisions, which must be publicly notified in the New Zealand Gazette as soon as practicable. This would include revocation of the existing designation of the military wing of Hizbollah.
- 37. **Attachment C** provides a letter to the Attorney-General acknowledging her advice and advising of your decisions. **Attachment D** provides a letter to the Intelligence and Security Committee to advise of the designations. This is an optional courtesy, as occurred for the Hamas designation earlier this year.
- 38. Officials will continue to work closely with your Office to manage risks and support any public notification. Conversely, if having considered the issues raised by the Attorney-General you now decide you do not want to proceed with one or both of the proposed designations, further advice will be prepared as required.

Attachments:	Title	Security classification
Attachment A:	Attachment withheld in full under s 9(2)(h)	Legally Privileged
Attachment B:	Letter to the Police Commissioner, to give effect to your decisions	In Confidence
Attachment C:	Letter to the Attorney-General, advising of your decisions	In Confidence
Attachment D:	Letter to the Intelligence and Security Committee, advising of your decisions	In Confidence
Attachment E:	Draft Communications and Engagement Plan	In Confidence

NOTE: Attachment E withheld in full, apart from title, under 9(2)(g)(i)



**RT HON CHRISTOPHER LUXON  
PRIME MINISTER**

Tania Kura  
Commissioner of Police  
Wellington

**Designation of the entirety of Hizbollah, and the Houthi, under the Terrorism Suppression Act 2002 and revocation of the existing designation of the military wing of Hizbollah**

Dear Commissioner,

Pursuant to section 22 of the Terrorism Suppression Act 2002, I designate the entirety of Hizbollah, and the Houthi, as terrorist entities.

I revoke the existing stand-alone designation of Islamic Resistance (the military wing of Hizbollah), as the designation of the entirety of Hizbollah supersedes and incorporates this.

Yours sincerely

Rt Hon Christopher Luxon  
**Prime Minister**

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**RT HON CHRISTOPHER LUXON  
PRIME MINISTER**

Hon Judith Collins KC  
Attorney-General  
Wellington

**Designation of the entirety of Hizbollah, and the Houthi, under the Terrorism  
Suppression Act 2002 and revocation of the existing designation of the military wing of  
Hizbollah**

Dear Attorney-General,

Thank you for your letter proposing additional matters you suggest I consider when deciding on the proposed designation of the entirety of Hizbollah, and the Houthi, as terrorist entities.

I consider the issues you have raised are important. I have decided the potential rights limitations and impacts of designation you have noted are justified and proportionate to the objective of combatting terrorism.

Pursuant to section 22 of the Terrorism Suppression Act 2002, I have designated the entirety of Hizbollah, and the Houthi, as terrorist entities. I have revoked the existing stand-alone designation of Islamic Resistance (the military wing of Hizbollah), as the designation of the entirety of Hizbollah supersedes and incorporates this.

For your awareness, I have attached the advice from officials that assisted me in making this assessment.

Yours sincerely

Rt Hon Christopher Luxon  
**Prime Minister**



**RT HON CHRISTOPHER LUXON  
PRIME MINISTER**

Members  
Intelligence and Security Committee  
Parliament Buildings

**Designation of the entirety of Hizbollah, and the Houthi, under the Terrorism Suppression Act 2002 and revocation of the existing designation of the military wing of Hizbollah**

Dear Members,

I write to inform you of my recent decision to designate the entirety of Hizbollah, and the Houthi, as terrorist entities under the Terrorism Suppression Act 2002.

I revoke the existing stand-alone designation of Islamic Resistance (the military wing of Hizbollah), as the designation of the entirety of Hizbollah supersedes and incorporates this.

The designation of terrorist entities is one measure New Zealand takes to contribute to the international campaign against terrorism.

Notice of my decision will be given in the New Zealand Gazette. Overseas posts and international partners will be informed.

Yours sincerely

Rt Hon Christopher Luxon  
**Prime Minister**