

30 March 2023

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OIA 28505

Personal details removed for
proactive release

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I refer to your email of 8 February 2023 in which you request the following under the Official Information Act 1982 (OIA):

All documents, briefings, papers, and memos, produced by MFAT about the US recognising Cook Islands [and] Niue, since September 1, 2023.'

On 13 February 2023, we contacted you to clarify the date range for your request. You responded on the same date, clarifying that you meant 2022. Therefore, we are responding to your request for:

All documents, briefings, papers, and memos, produced by MFAT about the US recognising Cook Islands [and] Niue, since September 1, 2022.'

On 8 March 2023, we notified you that we were extending the timeframes for your response by 20 working days due to need to the review of a large quantity of information (section 15A(1)(a) of the OIA refers).

The information that is within scope of your request is attached to this letter. Some information contained within the documents is withheld under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government;
- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 7(b): would be likely to prejudice relations between any of the Governments of
 - (i) New Zealand;
 - (ii) the self-governing State of the Cook Islands;
 - (iii) the self-governing State of Niue;
- 7(c): would be likely to prejudice the international relations of the Governments of
 - (i) The self-governing State of the Cook Islands;
 - (ii) The self-governing State of Niue;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(ba)(i): to protect the supply of confidential information by a another party where the making available the information would be likely to prejudice the supply of similar information, and it is in the public interest that such information continue to be supplied;

- 9(2)(g)(i): to protect the free and frank expression of opinions by departments; and
- 9(2)(h): to maintain legal professional privilege.

One document is being withheld in full under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government; and
- 6(b)(i): to protect the passing of information from another government on a confidential basis.

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

In addition to the documents in scope of your request, talking points relevant to this topic were also prepared. A summary of these talking points is provided below (section 16(1)(e) refers).

New Zealand welcomes the United States' announcement that it will establish diplomatic relations with the Cook Islands and Niue. The Cook Islands and Niue are self-governing states in free association with New Zealand. Consistent with these constitutional arrangements, New Zealand works in a relationship of partnership with Cook Islands and Niue, and supports their efforts to conduct their own international relations.

New Zealand is supportive of deeper engagement by the Cook Islands and Niue in international affairs and within the international community. Fundamentally, it is for the Governments and the people of the Cook Islands and Niue to determine the next step in their self-determination journeys.

Please note that we may publish this letter (with your personal details redacted) and enclosed documents on the Ministry's website.

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Sarah Corbett
for Secretary of Foreign Affairs and Trade

From: [NIUE](#)
To: [WASHINGTON](#); [PACREG](#); [PACPF](#)
Cc: [...PACIFIC POSTS](#); [DS PDG](#); [DCE](#); [CEO](#); [DS AAG](#); [DS EMA](#); [FM.P/S Associate MFA \(Seemail\)](#); [FM.DPMC \(FPA\) \(Seemail\)](#); [FM.P/S MFA \(Seemail\)](#); [NIUE](#); [RAROTONGA](#); [CANBERRA](#); [AMER](#)
Subject: RE: FORMAL MESSAGE: US/PACIFIC: BIDEN PACIFIC SUMMIT - NIUE OUTREACH AND DECLARATION NEXT STEPS - Niue initial response
Date: Monday, 3 October 2022 2:34:14 pm

[RESTRICTED]

PŪRONGO – REPORT

1. Out of scope
2. Tagelagi has made no public comment on the Washington meeting, nor the US announcement that it will commence consultations with Niue and the Cook Islands to recognise them as “sovereign states”. s6(a)
3. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)
4. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)
5. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)
6. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

Tākupu – Comment

7. s7(b)(i), s7(b)(iii), s9(2)(g)(i)
8. s7(b)(i), s7(b)(iii), s9(2)(g)(i)

s7(b)(i), s7(b)(iii), s9(2)(g)(i)

Mutu-Ends

Out of scope

Released under the Official Information Act

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Out of scope or withheld under the following grounds
6(a); 7(b)(i); 7(b)(ii); 7(b)(iii); 9(2)(g)(i)

From: [NIUE](#)
To: [WASHINGTON](#); [AMER](#); [PACREG](#); [DS PDG](#); [PACMM](#); [PACPF](#); [LGL](#)
Cc: s6(a) [FM.P/S MFA \(Seemail\)](#); [FM.DPMC \(Seemail\)](#); s6(a) [FM.Defence \(Seemail\)](#); [FM.DPMC \(NSG, FPA\) \(Seemail\)](#); [FM.P/S Associate MFA \(Seemail\)](#); [FM.P/S Trade \(Seemail\)](#); s6(a) [DS AAG](#); [DS EMA](#); [DS MLG](#); [DS TEG](#); [DCE](#); [CEO](#); [CMD](#); [...POLICY DIVISIONS](#); [CANBERRA](#); [TOKYO](#); [BEIJING](#); [...PACIFIC POSTS](#); [LONDON](#); [BRUSSELS](#); [PARIS](#); [NEW DELHI](#); [OTTAWA](#); [BERLIN](#); [NEW YORK](#)
Subject: RE: FORMAL MESSAGE: US-PACIFIC ISLAND COUNTRY SUMMIT - Niue welcomes diplomatic recognition s6(a), s9(2)(g)(i)
Date: Thursday, 13 October 2022 5:49:07 pm

[RESTRICTED]

NOT FOR CABLE EXCHANGE

RĀPOPOTO – SUMMARY

Niue's Premier has welcomed the intention of the United States to commence consultations for diplomatic recognition of Niue s6(a), s7(b)(i), s7(b)(iii)

s6(a), s6(b)(i), s7(b)(i), s7(b)(ii), s7(b)(iii)

s6(a), s7(b)(i), s7(b)(iii)

s6(a), s7(b)(i), s7(b)(iii)

HOHENGĀ – ACTION

For information

PŪRONGO – REPORT

1. Post has met with Premier Dalton Tagelagi to ascertain his take on the United States' Pacific Summit, and his decision to not travel to Washington. s6(a), s7(b)(i), s7(b)(iii)
2. s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

3. s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

4. s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

5. s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

Diplomatic Recognition s6(a), s6(b)(i)

6. On the Summit itself, Tagelagi welcomed the US announcement around commencing discussions for diplomatic recognition of Niue as a sovereign state, and the funding commitment s6(a), s7(b)(i), s7(b)(iii)

7. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

8. s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

Niue already had diplomatic relations with many countries (34 we believe) s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

9. s6(a), s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

s9(2)(g)(i)

10. s6(a), s7(b)(i), s7(b)(ii), s7(b)(iii), s9(2)(ba)(i)

s7(b)(i), s7(b)(ii), s7(b)(iii), s9(2)(ba)(i)

Out of scope

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6(a); 7(b)(i); 7(b)(ii); 7(b)(iii)

8 s6(a), s6(b)(i)

S announced it would recognise both the Cook Islands and Niue as sovereign states "following appropriate consultations". This was hailed by the Cooks (we were with the Cook Islands delegation when they saw this announcement for the first time, s6(a), s7(b)(i), s7(b)(ii), s7(b)(iii)

9 Over USD800 million (NZD1.4 billion) of "new money" was announced, the details of which are best captured in [this factsheet](#) on the US' "Roadmap for a 21st Century US-Pacific Island Partnership"

10 USD 600 million of the total comes from the Administration's commitment to increase the US contributions under the South Pacific Tuna Treaty from USD 20 million/year to USD 60 million/year, over ten years. This funding still needs to be approved by Congress, but is expected to pass given the bipartisan nature of the US's commitment to the region (see further on this below).

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From: [RAROTONGA](#)
To: [PACPF](#)
Cc: [...PACIFIC POSTS](#); [NAD](#); [AMER](#); [AUS](#); [DS PDG](#); [DS AAG](#)
Subject: FORMAL MESSAGE: VISIT BY US AMBASSADOR UDALL TO THE COOK ISLANDS
Date: Wednesday, 21 December 2022 9:06:03 am

[RESTRICTED]

FORMAL MESSAGE: VISIT BY US AMBASSADOR UDALL TO THE COOK ISLANDS

Rāpopoto – Akakoukou – Summary

US Ambassador Tom Udall undertook his first official visit to the Cook Islands last week.
Out of scope

s6(a)

Out of scope

Hohenga – Rave’anga – Action

For information

Pūrongo – Akakite’anga – Report

US Ambassador Udall undertook his inaugural visit to the Cook Islands last week, 14-16 December, which included fixtures with Prime Minister Mark Brown, and meetings with Secretary of Foreign Affairs Tapaeru Herrmann, Secretary of Finance Garth Henderson and Head of the Climate Change Directorate Wayne King. We also hosted the Ambassador for a meeting at the Official Residence, Ngātipā.

The US’ recognition of the Cook Islands’ “sovereignty”

2 The visit took place against the backdrop of the Washington Summit announcement by President Biden that the US would look to establish diplomatic relations with Cook Islands. s6(b)(i)

s6(a), s6(b)(1)

3 s6(a), s6(b)(i)

Out of scope

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ackground Brief: US Diplomatic Recognition

1. On 28-29 September 2022, the US convened the first ever US-Pacific Islands Summit, held at the White House in Washington, D.C. and hosted by US President Joe Biden. In his remarks following the Summit meeting, President Biden announced that, following appropriate consultations, the US would recognize the Cook Islands and Niue as sovereign states.
2. s6(a), s7(b)(i), s7(b)(ii), s7(b)(iii)

This move does however bring the US in line with some other partners (e.g.: Australia, China and Japan) that do extend diplomatic recognition to Niue.
3. Niue (and the Cook Islands) are self-governing states in a relationship of free association with New Zealand. Both Niue and the Cook Islands function mostly independently as states under international law, including establishing their own diplomatic relations and concluding their own treaties. Consistent with these constitutional arrangements, New Zealand works in a relationship of partnership with Niue and the Cook Islands and supports their efforts to conduct their own international relations. s6(a)
4. There is no issue from a New Zealand perspective with describing Niue and the Cook Islands as “states.” They are not, however, “fully sovereign” states, or members of the United Nations. The people of Niue and the Cook Islands are New Zealand citizens, s9(2)(h)
s6(a)
5. We have focused our statements on the recent US announcement to date on the establishment of diplomatic relations s6(a) noting that we are supportive of increased US engagement with Niue and Cook Islands, and understand that diplomatic recognition will better enable closer engagement.
6. As part of the Realm of New Zealand, New Zealand, Niue and the Cook Islands continue to share a common Head of State. New Zealand retains residual responsibility for external relations and defence, but in practice only provides assistance on request of the governments of Niue and the Cook Islands.
7. Further information on diplomatic recognition can be found in the Third Country Brief.

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Background Brief – Third Country Relations

Aotearoa New Zealand is the Cook Islands' longest standing diplomatic partner. The Cook Islands has made clear that we are its preferred partner, but is also looking to develop and broaden its 52 diplomatic partnerships beyond Aotearoa New Zealand.

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- 9 **United States** announced during the recent Pacific Summit that it recognises the Cook Islands (and Niue) as sovereign and will extend it diplomatic recognition. This is a significant step forward for the US s6(a), s6(b)(i)

The commitments announced during the recent White House Summit with President Biden are significant; demonstrate that the US has listened to Pacific priorities; and has taken an approach that supports regional solidarity. New Zealand has warmly welcomed these announcements. The US does not currently have any development projects under way in the Cook Islands, s6(a)

The Cook Islands is a party to the regional US Tuna Treaty.

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Background Brief – US Diplomatic

Recognition

On 28-29 September 2022, the Cook Islands Prime Minister Mark Brown attended the first ever US-Pacific Islands Summit, held at the White House in Washington, D.C., hosted by US President Joe Biden. In his remarks following the Summit meeting, President Biden announced that, following appropriate consultations, the US would recognize the Cook Islands and Niue as sovereign states.

2 s6(a), s7(b)(i), s7(b)(ii)

3 The Cook Islands and Niue are self-governing states in a relationship of free association with New Zealand. Both the Cook Islands and Niue function mostly independently as states under international law, including establishing their own diplomatic relations and concluding their own treaties. Consistent with these constitutional arrangements, New Zealand works in a relationship of partnership with Cook Islands and Niue and supports their efforts to conduct their own international relations. s6(a), s7(b)(i), s7(b)(ii), s7(b)(iii)

4 There is no issue from a New Zealand perspective with describing the Cook Islands and Niue as “states.” They are not, however, “fully sovereign” states, or members of the United Nations. The people of the Cook Islands and Niue are New Zealand citizens, s9(2)(h) s6(a)

5 We have focused our statements on the recent US announcement to date on the establishment of diplomatic relations s6(a) noting that we are supportive of increased US engagement with Niue and Cook Islands, and understand that diplomatic recognition will better enable closer engagement.

6 As part of the Realm of New Zealand, New Zealand, Cook Islands and Niue continue to share a common Head of State. New Zealand retains residual responsibility for external

relations and defence, but in practice only provides assistance on request of the governments of the Cook Islands and Niue.

- 7 Further information on diplomatic recognition can be found in the Third Country Brief.

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From: [MARTIN, Jonathan \(SVA\)](#)
To: [TUNNAH, Helen \(NIU\)](#); [TUPANGAIA, Desmond \(AMER\)](#); [COOMBS, Jane \(PACPF\)](#)
Cc: [LENNOX-MARWICK, Alex \(PACPF\)](#); [EWELS, Nigel \(NIU\)](#); [MCIWOR, Tharron \(PACREG\)](#); [TAYLOR, Sam \(LGL\)](#); [FRASER MILNE, Finlay \(SVA\)](#); [PEARSON, Caitriona \(PACPF\)](#); [WOODLEY, Jocelyn \(AMER\)](#)
Subject: Talking Points for US Diplomatic Recognition of Niue
Date: Thursday, 1 September 2022 2:18:47 pm
Attachments: [Constitutional relationships between New Zealand the Cook Islands Niue and Tokelau - USA release.docx](#), [image002.png](#)

[RESTRICTED]

Kia ora koutou,

s6(a), s7(b)(i), s7(b)(iii)

With thanks to Sam for LGL's review and input on these:

- Niue has its own international personality and conducts its own international relations. Niue has the ability to enter into treaties, form diplomatic relations, host/form embassies, appoint envoys, and join regional/international organisations and bodies where membership criteria allows for it.
- Niue is self-governing in free association with New Zealand and can determine for itself how, when, and who it wishes to engage with.
 - o New Zealand retains residual responsibility over the external affairs and defence of Niue ([section 6 Niue Constitution Act 1974](#)) but in practice, this may differ.
- New Zealand is fully supportive of Niue forming diplomatic relations with other countries. Our consent is not required or sought.
- The Queen in Right of New Zealand is Head of State of Niue.
- Niue is not a member of the UN and any moves towards that would likely necessitate a significant constitutional shift, particularly if it wants to retain New Zealand citizenship.
- Niue can join both bilateral and multilateral treaties and arrangements and UN bodies where membership rules allow. For example:
 - o Niue is a party to the United Nations Convention on the Law of the Sea, Treaty on the Prohibition of Nuclear Weapons, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, etc; and
 - o Niue is a member of a range of regional and international organisations such as the Pacific Islands Forum, UNESCO, World Health Organisation, the Food and Agricultural Organisation, etc.
- Niue has recently served as the Chancellor of the University of the South Pacific (2021-2022), hosted and chaired the 27th SPREP meeting (2016)
- Countries with diplomatic relations with Niue include:
 - o Malaysia, Australia, Nauru, PNG, China, India, Fiji, France, Cuba, Italy, Thailand, Turkey, Japan, Singapore, Samoa, Kosovo, Brazil, Indonesia, Chile, Peru, Tuvalu
 - o s6(a)

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following grounds
6(a); 6(b)(i); 7(b)(i); 7(b)(ii); 7(b)(iii);
7(c)(i); 7(c)(ii)

NEW ZEALAND'S CONSTITUTIONAL RELATIONSHIPS WITH THE COOK ISLANDS, NIUE AND TOKELAU

THE COOK ISLANDS AND NIUE

The Cook Islands and Niue have a special constitutional relationship known as “self-governing in free association with New Zealand.”

Historical Development

In 1901 both countries were annexed by New Zealand and became dependent territories of New Zealand. In 1965 and 1974, following an act of self-determination under United Nations auspices the Cook Islands and Niue respectively became self-governing in free association with New Zealand. Both countries adopted their own constitutions and established their own governments.

Constitutional Status: Self Government in Free Association

The status of self-government in free association is distinct from (on the one hand) integration with the metropolitan state and (on the other hand) independence from the metropolitan state. Quite where a free association relationship falls on the spectrum between the two can vary and will depend on a number of factors.

In some ways the Cook Islands and Niue are completely independent of New Zealand:

- The Cook Islands and Niue Governments have full executive powers.
- Both countries have the power to make their own laws. New Zealand cannot make laws for either country except at the request and with the consent of the Cook Islands and Niue Governments. In practice, this never happens.
- Both countries have international legal personality and conduct their own international relations as though they are independent states. They can establish diplomatic relations with other countries and have the capacity to enter into treaties, international agreements and join international organisations only where the membership entry criteria allow them to. E.g. s7(b)(i), s7(b)(ii), s7(b)(iii) the Cook Islands is a member of range of international organisations such as the Asian Development Bank and the Pacific Island Forum. As per the 2001 Joint Centenary Declaration, The Cook Islands can enter into treaties and other international agreements in its own right with governments as well as with regional and international organisations.

On the other hand, the constitutional connection with New Zealand remains:

- Both countries are part of the Realm of New Zealand and both have the Queen in Right of New Zealand as the Head of State.
- Cook Islanders and Niueans retain New Zealand citizenship (and do not have additional Niuean or Cook Islands citizenship).
- Technically, New Zealand retains residual responsibility for the external affairs and defence of Niue and the Cook Islands. This responsibility, however, confers no rights of control to the New Zealand Government and can only be acted on at the request of and on behalf of the Government of Niue or the Cook Islands.
- New Zealand has a responsibility to provide “necessary economic and administrative assistance” to the Cook Islands¹ and Niue². The nature and extent of this provision lies at the heart of the relationship and was recently reconfirmed by Cabinet in 2018 (CAB Min (03) 29/2) when it decided that this obligation should be fulfilled by providing “coordinated whole of government administrative assistance.”
- There is an obligation for New Zealand and the Cook Islands, and Niue to consult regularly on foreign affairs matters.

¹ 2001 Joint Centenary Declaration of the Principles of the Relationship between New Zealand and the Cook Islands.

² Section 7, Niue Constitution Act 1974.

- All countries have committed to respect human rights, good governance and the United Nations Charter.
- The Cook Islands and Niue are not members of the United Nations. At the United Nations they are represented by New Zealand. While The Cook Islands and Niue are not members of the United Nations, they can still be members of specialised agencies of the UN (where membership entry criteria allow for it). The Cook Islands and Niue are members, for example, of the Food and Agriculture Organisation of the UN.

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From: [TAYLOR, Sam \(LGL\)](#)
To: s6(a) [LENNOX-MARWICK, Alex \(PACPF\)](#); [MCCALLUM, Bruce \(PACPF\)](#); [CUDDY, Sharon \(HLU\)](#)
Cc: s6(a) [PHILLIPS, Shea-](#)
[Lee \(LGL\)](#)
Subject: RE: U.S. Recognition of the Cook Islands and Niue
Date: Thursday, 10 November 2022 3:47:13 pm
Attachments: [image001.png](#)
[NZ-US treaties with territorial application to the Cook Islands and Niue.pdf](#)
[NZ-US treaties.pdf](#)

[UNCLASSIFIED]

Kia ora koutou,

Apologies for the delay on my end to get back in contact and follow-up with the next steps I had mentioned I would do in our meeting. Thanks Mark for bringing us all together.

I have also included a colleague of mine, Shea-Lee (cc'd), our Treaty Officer, who will be able to provide some further support as we progress this further.

I also wanted to share the information we found relating to relevant treaties. I **attach** a list of in-force NZ/US treaties with territorial application to the Cook Islands and Niue and I also **attach** a list of in-force treaties between NZ and the US, more generally. These are sources from the [New Zealand Treaties Online website](#), which is a helpful resource regarding New Zealand's treaties and might be a good starting point for you.

I would be happy to discuss anything further if anyone had any particular questions regarding New Zealand's approach to treaties and their application to the Cook Islands and Niue.

Ngā manaakitanga,
Sam

Samuel Taylor ([He/Him](#))

**Legal Adviser, General International Law | Rōia, Roopu Ture o Te Ao
Legal Division**

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

T s9(2)(a) **E** Samuel.Taylor@mfat.govt.nz

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REGISTERED TREATIES LIST

A list of Registered Treaties

Treaty Code	Treaty Title	Date Concluded	General Entry Into Force Date	NZ Adherence Date	NZ Adherence Type	NZ Entry Into Force Date	NZ Adherence Status	Termination Date	NZ Withdrawal Date
B1946/04	Agreement between the Government of New Zealand and the Government of the United States of America on Settlement for Land-Lease and Reciprocal Aid, Surplus War Property and Claims.	10/07/1946	10/07/1946	10/07/1946	Definitively signed	10/07/1946	In Force		
B1970/02	Agreement between the Government of the United States of America and the Government of New Zealand for the Financing of Certain Educational and Cultural Exchange Programmes.	03/02/1970	03/03/1970	03/02/1970	Definitively signed	03/03/1970	In Force		
B1949/03	Agreement between the United States of America and New Zealand concerning Visas for Travel between United States of America and New Zealand.	14/03/1949	01/04/1949	14/03/1949	Definitively signed	01/04/1949	In Force		
B1815/01	Convention of Commerce between the United Kingdom and the United States of America	03/07/1815	03/07/1815	22/12/1815	Succeeded to	03/07/1815	In Force		
B1981/07	Exchange of Letters constituting an Agreement between the Government of New Zealand and the United States Government concerning the Provisional Application of the Rights and Obligations of the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of GATT (Subsidies and Countervailing Duties).	16/09/1981	16/09/1981	16/09/1981	Third person note	16/09/1981	In Force		
B1967/05	Exchange of Notes between New Zealand and the United States of America constituting an Agreement regarding the Reciprocal Granting of Authorizations to Permit Licensed Amateur Radio Operators of either Country to Operate their Stations in the Other Country.	21/06/1967	21/06/1967	21/06/1967	Definitively signed	21/06/1967	In Force		
B1958/07	Exchange of Notes between the Government of New Zealand and the Government of the United States of America regarding the Provision of Facilities in New Zealand for United States Antarctic Expeditions.	24/12/1958	24/12/1958	24/12/1958	Third person note	24/12/1958	In Force		
B1959/04	Exchange of Notes constituting an Agreement between the Governments of New Zealand and the Government of the United States of America regarding the Provision of Facilities for United States Naval Personnel participating in Aerial Photographic Survey of the New Zealand Coastline.	30/10/1959	30/10/1959	30/10/1959	Third person note	30/10/1959	In Force		
B1942/06	Exchange of Notes constituting an Agreement relating to the Principles applying to the Provision of Aid in the Prosecution of the War	03/09/1942	03/09/1942	03/09/1942	Third person note	03/09/1942	In Force		

B1940/02	Treaty between New Zealand and the United States of America amending in their Application to New Zealand Certain Provisions of the Treaty of 15 September 1914 between the United Kingdom and the United States of America for the Advancement of Peace.	06/09/1940	13/08/1941	13/08/1941	Acceded to	13/08/1941	In Force
B1901/07	Treaty between the United Kingdom and the United States of America relative to the Establishment of a Communication by Ship Canal between the Atlantic and Pacific Oceans	18/11/1901	21/02/1902	21/02/1902	Succeeded to	21/02/1902	In Force
B1914/12	Treaty Between the United Kingdom and the United States of America with Regard to the Establishment of a Peace Commission	15/09/1914	10/11/1914	10/11/1914	Succeeded to	10/11/1914	In Force
B1970/01	Treaty on Extradition between New Zealand and the United States of America.	12/01/1970	08/12/1970	08/12/1970	Ratified	08/12/1970	In Force

Released under the Official Information Act

REGISTERED TREATIES LIST

A list of Registered Treaties

Treaty Code	Treaty Title	Date Concluded	General Entry Into Force Date	NZ Adherence Date	NZ Adherence Type	NZ Entry Into Force Date	NZ Adherence Status	Termination Date	NZ Withdrawal Date
B2012/12	Acquisition and Cross-Servicing Agreement (US-NZ-02) between the Department of Defense of the United States of America and the New Zealand Defence Force of 6 November 2012	06/11/2012	06/11/2012	06/11/2012	Definitively signed	06/11/2012	In Force		
B2002/06	Agreement Between the Government of New Zealand and the Government of the United States of America for Promotion of Aviation Safety	26/03/2002	13/09/2007	13/09/2007	Third person note	13/09/2007	In Force		
B1991/06	Agreement between the Government of New Zealand and the Government of the United States of America for Scientific and Technological Cooperation (with Annex)	21/05/1991	21/05/1991	21/05/1991	Definitively signed	21/05/1991	In Force		
B2017-09	Agreement Between the Government of New Zealand and the Government of the United States of America for the Sharing of Visa and Immigration Information	05/05/2017	02/10/2017			02/10/2017	In Force		
B2013/03	Agreement between the Government of New Zealand and the Government of the United States of America on Enhancing Cooperation in Preventing and Combating Crime	20/03/2013	12/12/2017	08/12/2017	Third person note	12/12/2017	In Force		
B2010/01	Agreement between the Government of New Zealand and the Government of the United States of America on Science and Technology Cooperation Contributing to Domestic and External Security Capabilities	08/01/2010	09/09/2010	09/09/2010	Third person note	09/09/2010	In Force		
B1946/04	Agreement between the Government of New Zealand and the Government of the United States of America on Settlement for Land-Lease and Reciprocal Aid, Surplus War Property and Claims.	10/07/1946	10/07/1946	10/07/1946	Definitively signed	10/07/1946	In Force		
B2016-07	Agreement between the Government of New Zealand and the Government of the United States of America on Technology Safeguards Associated with United States Participation in Space Launches from New Zealand	16/06/2016	12/12/2016	12/12/2016	Third person note	12/12/2016	In Force		
B1982/04	Agreement between the Government of New Zealand and the Government of the United States of America on the Pricing of Military Training.	19/04/1982	19/04/1982	19/04/1982	Definitively signed	19/04/1982	In Force		
B2014-08	Agreement between the Government of New Zealand and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA	12/06/2014	03/07/2014				Signed		

B1992/09	Agreement between the Government of the United States of America and the Government of New Zealand concerning a Framework of Principles and Procedures for Consultations regarding Trade and Investment Relations, with Annex.	02/10/1992	02/10/1992	02/10/1992	02/10/1992	Definitively signed	02/10/1992	In Force
B1933/01	Agreement between the Government of the United States of America and the Government of New Zealand concerning the Exchange of Parcel Post (with Detailed Regulations)	24/04/1933	01/10/1932	03/03/1933	01/10/1932	Definitively signed	01/10/1932	In Force
B1970/02	Agreement between the Government of the United States of America and the Government of New Zealand for the Financing of Certain Educational and Cultural Exchange Programmes.	03/02/1970	03/03/1970	03/02/1970	03/03/1970	Definitively signed	03/03/1970	In Force
B1996/10	Agreement between the Government of the United States of America and the Government of New Zealand regarding Mutual Assistance between their Customs Services	13/06/1996	13/06/1996	13/06/1996	13/06/1996	Definitively signed	13/06/1996	In Force
B1942/04	Agreement between the United Kingdom and the United States of America on Principles Applying to Mutual Aid in the Prosecution of the War against Aggression	23/02/1942	23/02/1942	23/02/1942				Not Party
B1949/03	Agreement between the United States of America and New Zealand concerning Visas for Travel between United States of America and New Zealand.	14/03/1949	01/04/1949	14/03/1949	01/04/1949	Definitively signed	01/04/1949	In Force
M2009/01	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	28/08/2009	05/06/2016	21/02/2014	05/06/2016	Ratified	05/06/2016	In Force
B1997/03	Air Transport Agreement between the Government of New Zealand and the Government of the United States of America	18/06/1997	18/06/1997	18/06/1997	18/06/1997	Definitively signed	18/06/1997	In Force
B1877/08	Amended Article to Replace Article III of the Postal Convention of 3 August/5 October 1870 between the Colony of New Zealand and the United States of America	11/10/1877	01/12/1877	11/10/1877	01/12/1877	Third person note	01/12/1877	In Force
B1982/07	Convention between New Zealand and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income.	23/07/1982	02/11/1983	02/11/1983	02/11/1983	Ratified	02/11/1983	In Force
B1902/01	Convention between the United Kingdom and the United States of America extending the Period for Accession of British Colonies and Possessions to the Convention of 2 March 1899 relative to the Disposal of Real and Personal Property	13/01/1902	02/04/1902					Not Party
B1899/01	Convention between the United Kingdom and the United States of America relative to the Disposal of Real and Personal Property	02/03/1899	07/08/1900	10/06/1901	10/06/1901	Acceded to	10/06/1901	In Force

B1936/04	Convention between the United States and the United Kingdom, Australia and New Zealand amending the Convention of 2 March 1899 concerning the Disposal of Real and Personal Property	27/05/1936	10/03/1941	10/03/1941	Ratified	10/03/1941	In Force
M2000/33	Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean	05/09/2000	19/06/2004	19/12/2003	Ratified	19/06/2004	In Force
M1989/08	Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific.	24/11/1989	17/05/1991	17/05/1991	Ratified	17/05/1991	In Force
B1815/01	Convention of Commerce between the United Kingdom and the United States of America	03/07/1815	03/07/1815	22/12/1815	Succeeded to	03/07/1815	In Force
B1827/02	Convention of Commerce between the United Kingdom and the United States of America	06/08/1827	20/10/1828				Not Party
B1818/01	Convention of Commerce between the United Kingdom and the United States of America	20/10/1818	30/01/1819				Not Party
M1996/23	Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children	19/10/1996	01/01/2002				Not Party
M2010/01	Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean	01/02/2010	24/08/2012	01/06/2011	Ratified	24/08/2012	In Force
B2017-04	Exchange of Letters between the Government of New Zealand and the Government of the United States of America implementing the Asia Pacific Economic Cooperation Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment	22/03/2017	22/03/2017		Exchange of Letters	22/03/2017	In Force
B1995/08	Exchange of Letters constituting an Agreement between the Government of New Zealand and the Government of the United States of America amending the Agreement of 3 February 1970 for the Financing of Certain Educational and Cultural Exchange Programmes.	21/06/1995	21/06/1995	21/06/1995	Definitively signed	21/06/1995	In Force
B1981/07	Exchange of Letters constituting an Agreement between the Government of New Zealand and the United States Government concerning the Provisional Application of the Rights and Obligations of the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of GATT (Subsidies and Countervailing Duties).	16/09/1981	16/09/1981	16/09/1981	Third person note	16/09/1981	In Force
B1967/05	Exchange of Notes between New Zealand and the United States of America constituting an Agreement regarding the Reciprocal Granting of Authorizations to Permit Licensed Amateur Radio Operators of either Country to Operate their Stations in the Other Country.	21/06/1967	21/06/1967	21/06/1967	Definitively signed	21/06/1967	In Force

B1982/19	Exchange of Notes between the Government of New Zealand and the Government of the United States of America constituting an Agreement on the Establishment and Operation of an Astronomical Observatory in the Black Birch Range in New Zealand, with Memorandum of Understandings and Agreed Minute	11/11/1982	11/11/1982	11/11/1982	Third person note	11/11/1982	In Force
B1976/19	Exchange of Notes between the Government of New Zealand and the Government of the United States of America constituting an Agreement relating to Trade in Meat Imports	23/12/1976	23/12/1976	23/12/1976	Third person note	23/12/1976	In Force
B1958/07	Exchange of Notes between the Government of New Zealand and the Government of the United States of America regarding the Provision of Facilities in New Zealand for United States Antarctic Expeditions.	24/12/1958	24/12/1958	24/12/1958	Third person note	24/12/1958	In Force
B1960/02	Exchange of Notes between the Governments of New Zealand and the Government of the United States of America regarding Nuclear Research Equipment.	23/03/1960	23/03/1960	23/03/1960	Third person note	23/03/1960	In Force
B1941/01	Exchange of Notes between the United Kingdom and Egypt prolonging the Duration of the Commercial Modus Vivendi of 5/7 June 1930	16/02/1941	16/02/1941	16/02/1941			Not Party
B1915/04	Exchange of Notes between the United Kingdom and the United States of America relative to the Extension of Time provided for the Organisation of the Peace Commission under the Treaty of 15 September 1914	03/11/1915	03/11/1915	03/11/1915			Not Party
B1996/13	Exchange of Notes constituting a Chapeau Agreement concerning the Establishment of Certain Mutual Defense Commitments	16/07/1996	16/07/1996	16/07/1996	Definitively signed	16/07/1996	In Force
B1958/13	Exchange of Notes constituting an Agreement amending the Agreement of 16 December 1957 and 2/5 May 1958 relating to Passport Visa Fees	13/05/1958	13/05/1958	13/05/1958	Third person note	13/05/1958	In Force
B1992/07	Exchange of Notes constituting an Agreement between the Government of New Zealand and the Government of the United States concerning Arrangements for the Installation, Operation and Maintenance of Global Sea Level Data Collection Stations.	18/11/1992	18/11/1992	18/11/1992	Third person note	18/11/1992	In Force
B1983/01	Exchange of Notes constituting an Agreement between the Government of New Zealand and the Government of the United States of America concerning the Establishment and Operation in New Zealand of an Omega Navigation System Monitoring Facility.	03/03/1983	03/03/1983	03/03/1983	Third person note	03/03/1983	Denounced/Withdrawn 30/09/1997

B1963/06	Exchange of Notes constituting an Agreement between the Government of New Zealand and the Government of the United States of America concerning the Provision of Facilities in New Zealand for a United States Programme of Research on Aerospace Disturbances, with Memorandum of Understandings.	15/05/1963	15/05/1963	15/05/1963	Third person note	15/05/1963	In Force
B1969/04	Exchange of Notes constituting an Agreement between the Government of New Zealand and the Government of the United States of America for the Reciprocal Advance of Funds for the Temporary Support of Personnel of the Armed Forces of the Two Governments	03/09/1969	03/09/1969	03/09/1969	Third person note	03/09/1969	In Force
B1999/24	Exchange of Notes Constituting an Agreement between the Government of New Zealand and the Government of the United States of America on Reciprocal Employment of Dependents	21/05/1999	21/05/1999	21/05/1999	Third person note	21/05/1999	In Force
B1959/04	Exchange of Notes constituting an Agreement between the Governments of New Zealand and the Government of the United States of America regarding the Provision of Facilities for United States Naval Personnel participating in Aerial Photographic Survey of the New Zealand Coastline.	30/10/1959	30/10/1959	30/10/1959	Third person note	30/10/1959	In Force
B1952/01	Exchange of Notes constituting an Agreement relating to Mutual Defence Assistance	19/06/1952	19/06/1952	19/06/1952	Third person note	19/06/1952	In Force
B1958/09	Exchange of Notes constituting an Agreement relating to Passport Visa Fees	05/05/1958	01/06/1958	13/05/1958	Third person note	01/06/1958	In Force
B1942/06	Exchange of Notes constituting an Agreement relating to the Principles applying to the Provision of Aid in the Prosecution of the War	03/09/1942	03/09/1942	03/09/1942	Third person note	03/09/1942	In Force
B1960/07	Exchange of Notes extending the Operation of the Agreement of 24 December 1958 regarding the Provision of Facilities in New Zealand for United States Antarctic Expeditions	18/10/1960	01/01/1960	18/10/1960	Third person note	01/01/1960	In Force
B1994/20	Memorandum of Agreement between the New Zealand Defence Force and the Department of Defense of the United States of America concerning the NAVSTAR Global Positioning System, with Annex.	02/09/1994	02/09/1994	02/09/1994	Definitively signed	02/09/1994	In Force
B1979/16	Memorandum of Understanding: Results of Bilateral Negotiations between the Delegations of New Zealand and the United States to the Multilateral Trade Negotiations	21/05/1979	01/01/1980	01/01/1980		01/01/1980	In Force
M2001/06	Multilateral Agreement on the Liberalization of International Air Transportation	01/05/2001	21/12/2001	21/12/2001	Ratified	21/12/2001	In Force
B1870/02	Postal Convention between the Colony of New Zealand and the United States of America	05/10/1870	01/12/1870	05/10/1870	Definitively signed	01/12/1870	In Force

		01/12/2008	12/11/2010	24/12/2009	Third person note	12/11/2010	In Force
B2008/16	Protocol Amending the Convention between New Zealand and the United States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income						
M1989/08-01	Protocol I to the Convention for the Prohibition of Fishing with Long Driftnets in the Southern Pacific.	20/10/1990	28/02/1992				Not Party
B1940/02	Treaty between New Zealand and the United States of America amending in their Application to New Zealand Certain Provisions of the Treaty of 15 September 1914 between the United Kingdom and the United States of America for the Advancement of Peace.	06/09/1940	13/08/1941	13/08/1941	Acceded to	13/08/1941	In Force
B1980/11	Treaty between New Zealand and the United States of America on the Delimitation of the Maritime Boundary between Tokelau and the United States of America.	02/12/1980	03/09/1983	03/09/1983	Ratified	03/09/1983	In Force
B1901/07	Treaty between the United Kingdom and the United States of America relative to the Establishment of a Communication by Ship Canal between the Atlantic and Pacific Oceans	18/11/1901	21/02/1902	21/02/1902	Succeeded to	21/02/1902	In Force
B1911/15	Treaty between the United Kingdom and the United States of America respecting Measures for the Presentation and Protection of the Fur Seals	07/02/1911	07/07/1911				Not Party
B1914/12	Treaty Between the United Kingdom and the United States of America with Regard to the Establishment of a Peace Commission	15/09/1914	10/11/1914	10/11/1914	Succeeded to	10/11/1914	In Force
B1970/01	Treaty on Extradition between New Zealand and the United States of America.	12/01/1970	08/12/1970	08/12/1970	Ratified	08/12/1970	In Force
B2007/01	World Wine Trade Group Agreement on Requirements for Wine Labelling	23/01/2007	01/07/2010	11/06/2010	Ratified	01/07/2010	In Force