

8 April 2024

s9(2)(a)

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OIA 29100

Tēnā koe s9(2)(a)

I refer to your email of 7 February 2024 in which you request the following under the Official Information Act 1982 (OIA):

'I am seeking all relevant material on New Zealand's position on the Australia, New Zealand and United States (AUKUS) arrangement, including a possible Tier 2 option. This would include any:

- Reports (including intelligence products – reports, notifications), advice, or policy documents regarding AUKUS produced from January 2021 up to the current date.*
- Any documents relating to the visit of the Minister of Defence and the Minister of Foreign Affairs in February 2024 which relate to AUKUS.'*

On 6 March 2024, the timeframes for responding to your request were extended by an additional 25 working days because responding to your request necessitated the review of a large quantity of information, and due to the consultations necessary to make a decision on your request (sections 15A(1)(a) and 15A(1)(b) of the OIA refer).

Since it was announced by Australia, the United Kingdom and the United States in September 2021, AUKUS has been a standing topic of international interest, with a wide range of different dimensions. Different aspects of AUKUS can feature to varying degrees across a wide range of international engagements, with a wide range of countries and international entities, and in various formats. Given this breadth, your request has been interpreted to be for any formal advice or policy documents provided to Ministers relating to AUKUS.

The following has been identified in scope of your request:

Ref	Title	Date
1	Briefing for call with Australian Foreign Minister Penny Wong: AUKUS	9 March 2023
2	Briefing for call with Prime Minister Albanese: AUKUS	10 March 2023
3	Aide Memoire: AUKUS Leaders' announcement and Aotearoa New Zealand's response	12 March 2023
4	Briefing for call with UK Secretary of State for Foreign, Commonwealth and Development Affairs, Rt Hon James Cleverly	13 March 2023
5	Aide Memoire: AUKUS	10 April 2023

Ref	Title	Date
6	Pacific Mission - AUKUS Brief	12 April 2023
7	Australia-New Zealand Leaders Meeting - Annotated Agenda 26 July 2023	July 2023
8	Visit by US Secretary of State Antony Blinken 26-27 July 2023	20 July 2023
9	Aukus briefing (prepared for MFA visit to Tuvalu)	August 2023
10	Foreign Affairs Minister Nanaia Mahuta Bilateral visit to Tuvalu 14-16 August 2023 – Media and communications material	16 August 2023
11	Briefing Material for the Minister of Foreign Affairs' visit to Jakarta, Indonesia 6-7 September 2023	September 2023
12	Minister of Foreign Affairs Hon Nanaia Mahuta Pacific Islands Forum Foreign Ministers' Meeting	15 September 2023
13	AUKUS Forthcoming joint leaders' statement from the AUKUS partners	15 September 2023

Some information has been 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;
- 9(2)(a): to protect the privacy of natural persons;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments;
- 9(2)(h): to maintain legal professional privilege; and
- 9(2)(j): to avoid prejudice to negotiations.

Please also note that large amounts of information in documents 7, 8, 10, 11 and 12 as referenced above is outside the scope of your request. We have therefore provided you with extracts of these documents containing the in-scope material instead of a redacted version of the full documents.

One briefing, including the title, has been withheld in full under section 6(a) of the OIA, to avoid prejudicing the security, defence, or international relations of New Zealand.

Beyond the documents identified above, an additional briefing "Master brief: ANZMIN 2+2 Melbourne 1 February 2024" dated 29 January 2024 has been identified in scope of your request. This part of your request is refused under section 18(d) of the OIA, as the information will soon be publicly available on the Ministry of Foreign Affairs and Trade (MFAT) website: [Media and resources | New Zealand Ministry of Foreign Affairs and Trade \(mfat.govt.nz\)](https://www.mfat.govt.nz/media-and-resources).

In addition, the following briefings are also within scope of your request, which are or will soon be publicly available on the Ministry of Defence website:

- AUKUS: Trilateral Enhanced Security Partnership – Implications for Aotearoa New Zealand (12 October 2021) <https://www.defence.govt.nz/publications/publication/AUKUS-Trilateral-Enhanced-Security-Partnership-Implications-for-Aotearoa-New-Zealand>
- AUKUS: Updating New Zealand’s Approach (7 March 2023) <https://www.defence.govt.nz/publications/publication/AUKUS-Updating-New-Zealand-s-Approach>
- AUKUS Pillar Two: Opportunities for New Zealand’s Research Community and Industry (1 September 2023) – soon to be published <https://www.defence.govt.nz/publications>
- [Withheld section 6(a)]: Background and New Zealand Messaging (30 November 2023) – soon to be published <https://www.defence.govt.nz/publications>
- AUKUS: Managing New Zealand’s Strategic Interests (24 January 2024) – soon to be published <https://www.defence.govt.nz/publications>

I note that you have made separate requests to the Ministry of Defence and the Department of Prime Minister and Cabinet. I refer you to their responses for additional briefings in scope of these requests.

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.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the MFAT website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

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 Acting Secretary of Foreign Affairs and Trade

Briefing for call with Australian Foreign Minister Penny Wong: AUKUS

8:45 PM Thursday 9 March [Minister's office to add call details]

Ahead of the AUKUS leaders' announcement on next steps for the partnership, Australia is undertaking a series of calls to brief Aotearoa New Zealand in advance. In addition to your call with Minister Wong, the Minister of Defence and the Prime Minister will speak to their Australian counterparts on 9 March and 13 March respectively.

Pito korero – Talking points

These talking points include the key messages you have agreed with Minister Little (in red), combined with additional points (in blue) which you may wish to draw on during the call.

- Thank you for the briefing on the forthcoming Leaders' announcement – we appreciate the early outreach.
- We place great value on our alliance and relationship with Australia. Australia is our most important security partner, and our most important defence relationship.
- We acknowledge the deterioration in the geostrategic security situation in our region, and that is why we have our defence policy review under way. ^{s6(a), s6(b)(i)}
- AUKUS is a set of arrangements to strengthen security in the region.
- It does not conflict with our existing Five Eyes arrangements
- We are open to non-nuclear cooperation under Pillar 2 of the arrangements.
- New Zealand will remain proudly nuclear free and continue to uphold our obligations including the Treaty of Rarotonga.
- s6(a)

s6(a), s9(2)(g)(i)

• s6(a) s9(2)(g)(i)

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Background

1 The Australian High Commissioner has confirmed that the AUKUS leaders will meet in-person in the US (13 March West Coast US time) ^{s6(a), s6(b)(i), s9(2)(g)(i)}

2 s6(a), s6(b)(i), s9(2)(g)(i)

s6(a), s6(b)(i), s9(2)(g)(i)

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3 s6(a), s9(2)(g)(i)

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4 s6(a), s9(2)(g)(i) - 1 page withheld

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Briefing for call with Prime Minister Albanese: AUKUS

Between 11.35am and 12.05pm Monday 13 March

Ahead of the AUKUS leaders' announcement, Australia is undertaking a series of calls to brief New Zealand in advance. Minister Mahuta and Minister Little spoke to their Australian counterparts on 9 March.

Talking points

These talking points reflect key messages agreed between Ministers Little and Mahuta, as well as additional messages drawn from the 7 March joint MFAT-MoD submission.

- Thank you for the briefing on the forthcoming Leaders' announcement – we appreciate the early outreach.
- We place great value on our alliance and relationship with Australia. Australia is our most important security partner, and our most important defence relationship.
- We acknowledge the deterioration in the geostrategic situation in our region, and that is why we have our defence policy review underway.
- AUKUS is a set of arrangements to strengthen security in the region. It does not conflict with our existing Five Eyes arrangements.
- Our long-standing nuclear free policy is unchanged. We are open to continuing to explore non-nuclear cooperation under Pillar Two of AUKUS.
- s6(a)

s6(a), s9(2)(g)(i)

Background

1 PM Albanese will meet with President Biden and Prime Minister Sunak in San Diego on 13 March West Coast US time (14 March NZ time). The three Leaders will announce the details of Australia's acquisition of nuclear-powered submarines, and how Australia will transition from its current submarine fleet.

2 Minister Mahuta and Minister Little spoke to their Australian counterparts on 9 March. The key messages from Australia were that:

- s6(a), s6(b)(i)

. Australia would remain fully committed to and compliant with its Treaty of Rarotonga¹ and Non-Proliferation Treaty obligations.

¹The Treaty prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not prohibit the transit of vessels carrying nuclear weapons, explicitly leaving Parties to determine for

- The capability that Australia was seeking was in support of regional peace, stability and prosperity - s6(a)

- The Leaders' announcement will feature three phases:
 - Increased regional presence by US and UK nuclear powered submarines (near term), and forward rotations to Australia of US and UK submarines (by the late 2020s);
 - Australian acquisition of nuclear powered submarines (early 2030s) [*the specifics of this, what class of vessel Australia will receive, and from which partner remains tightly held, although media reports suggest that Australia may receive a number of US Virginia Class submarines*]; and
 - Construction in Australia of a new class of nuclear powered submarine, based on a UK design (work to start soon, for entry into service by the early 2040s)

- s6(a), s6(b)(i)

- s6(a), s6(b)(i)

3 In response, Ministers affirmed the importance of engagement and reassurance in the Pacific and indicated New Zealand's interest in Pillar Two of AUKUS (cooperation on a range of advanced non-nuclear military technologies and capabilities). This is likely to be a focus of discussion when Australian Defence Minister Marles visits New Zealand next month. Minister Little also held a secure call with his UK counterpart on 9 March which will be reported separately.

4 In terms of New Zealand's initial public response to the announcement, the proposed key messages in the attached 7 March MFAT-MoD joint submission – subject to your feedback on these - provide the basis for this. s9(2)(g)(i)

5 s6(a), s9(2)(g)(i)

themselves whether to allow visits, transit or navigation by foreign ships and aircraft (Article 5). The Treaty does not deal with nuclear propulsion.

Aide Memoire: AUKUS Leaders' announcement and Aotearoa New Zealand's response

The AUKUS Leaders' announcement: a key step in the partnership

- The leaders of Australia, the UK and the US will make a major announcement on 13 March in San Diego (Tuesday 14 March NZ time) on next steps for the AUKUS partnership. ^{s6(b)(i), s9(2)(g)(i)}
 - ^{s6(b)(i), s9(2)(g)(i)}
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Why it matters to Aotearoa New Zealand

- ^{s6(a), s6(b)(i), s9(2)(g)(i)}
- Aotearoa New Zealand shares the AUKUS partners' assessment of the deteriorating strategic environment, and its drivers. These assessments are set out in the *Defence Assessment 2021*, the draft *National Security Strategy*, the draft *Defence Policy and Strategy Statement* and the draft *MFAT Strategic Assessment*.
- ^{s6(a), s6(b)(i), s9(2)(g)(i)}
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- New Zealand has been briefed in advance of the announcement by all three AUKUS partners, at Ministerial and senior officials' level. The Prime Minister will talk to PM Albanese today. ^{s6(a), s9(2)(g)(i)}

s6(a), s9(2)(g)(i)

Setting out New Zealand's position

s6(a), s6(b)(i), s9(2)(g)(i)

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New Zealand's approach to the non-nuclear dimensions of AUKUS (Pillar Two)

s6(a), s6(b)(i), s9(2)(g)(i)

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Annex: AUKUS Leaders' announcement: Aotearoa New Zealand's communications and media material

1. New Zealand's core messages on AUKUS
2. 'If raised' points for use prior to the Leaders' announcement
3. ^{s9(2)(g)(i)}
- 4.
5. Contingency media lines – for use if required

1. Core messages

New Zealand's core messages - from the joint MFAT-MoD submission of 7 March. These set out New Zealand's overall position and can be utilised at any point

- AUKUS is a significant development for the wider region. The peace and stability of the region, and upholding the international rules-based order, are objectives we share with the AUKUS members.
- New Zealand understands the strategic drivers for AUKUS. As the *Defence Assessment 2021* makes clear, our own assessment of the deteriorating strategic environment aligns closely with that of key partners.
- For New Zealand as a Pacific nation, we welcome security architecture that contributes to regional security and stability, and reflects the interests of the countries of the region. New Zealand welcomes AUKUS as an initiative to enhance regional security and stability.
- New Zealand has close and important relationships with Australia, the US and the UK, including on security and defence matters. We welcome these partners lifting their engagement in our region.
- ^{s9(2)(g)(i)}
- New Zealand is engaged in our own review of defence policy settings and capability needs – the Defence Policy Review.
- New Zealand has long-standing engagements with Australia, the US and the UK on military capability and interoperability issues, including areas which feature in AUKUS – such as cyber. We will continue to engage closely with the AUKUS partners on how we can cooperate to mutual benefit in such areas.
- We are pleased that the AUKUS partners continue to share information about how the initiative is progressing.

2. 'If raised' points for use prior to the Leaders' announcement

Reactive key points for use on Monday 13 and Tuesday 14 March prior to the Leaders' announcement to respond to questions about the forthcoming AUKUS announcements. These points are drafted for use by the Prime Minister, but can be adapted for other Ministers.

What is New Zealand's position on AUKUS?

- AUKUS is a significant development for the wider region. The peace and stability of the region, and upholding the international rules-based order, are objectives we share with the AUKUS members.
- For New Zealand as a Pacific nation, we welcome security architecture that contributes to regional security and stability, and reflects the interests of the countries of the region. New Zealand welcomes AUKUS as an initiative to enhance regional security and stability.
- New Zealand has close and important relationships with Australia, the US and the UK, including on security and defence matters. We welcome these partners lifting their engagement in our region.

What does New Zealand expect to be announced at the AUKUS Leaders' meeting?

- Australia, the US and the UK have all confirmed that their respective Leaders will be meeting in the US on 13 March (US time).
- We are aware of various media reports about what might be announced. We don't intend to comment on these – we will await formal announcements.

Has New Zealand been briefed in advance on what will be announced?

If before PM-PM Albanese call:

- The Minister of Foreign Affairs and the Minister of Defence have spoken to their counterparts.
- As you will appreciate, I won't go into details ahead of any announcement.

If after PM-PM Albanese call:

- I spoke to Prime Minister Albanese [today/yesterday]. The Minister of Foreign Affairs and the Minister of Defence have also spoken to counterparts.
- As you will appreciate, I won't go into details ahead of any announcement.

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5. Contingency media lines

Contingency media lines on topics that may be raised by media – for use as required. These are drawn from the joint MFAT-MoD submission, as well as additional points that have been developed following the pre-briefing from the AUKUS partners.

Was New Zealand briefed in advance of the announcement? Who else was briefed in advance?

- Yes. New Zealand was briefed in advance by all three AUKUS countries.
- The Prime Minister, Minister of Foreign Affairs and Minister of Defence all received calls from their Australian counterparts over the past few days.
- Minister of Foreign Affairs and Minister of Defence both also received calls from their UK counterparts.
- New Zealand was also briefed by US senior officials, through New Zealand's Embassy in Washington DC, and through the US Embassy in Wellington.
- Details about which other countries were briefed in advance would be a question for the three AUKUS partners.

Will New Zealand join any of the non-nuclear aspects of AUKUS?

- Whether New Zealand potentially engages with non-nuclear aspects of AUKUS would be a future decision for Ministers, taking account of any invitation by the AUKUS partners and an assessment of our national interests.
- New Zealand is a Pacific nation. Reflecting our region's legacy of nuclear testing, we remain committed to nuclear disarmament and non-proliferation.

Is New Zealand concerned about an increased presence in our region of US and UK nuclear submarines?

- It's important to distinguish between nuclear powered submarines and nuclear armed submarines.
- New Zealand's views on nuclear weapons are well known and we continue to advocate for their total elimination.
- We acknowledge that nuclear powered submarines have been present in the wider region for decades. They are not permitted to enter New Zealand's internal waters pursuant to the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987. This will not change.
- [if needed] Questions about other countries' specific submarine deployment plans would be a matter for them.

s9(2)(g)(i)

How will these announcements be received in the Pacific? Have any Pacific countries expressed concern to New Zealand?

- Like New Zealand, other Pacific countries will form their own views on the AUKUS announcements.
- Reflecting the experience of nuclear testing, the Pacific region is strongly committed to nuclear disarmament and non-proliferation.
- Questions about other countries' views would be a matter for them.

s9(2)(g)(i)

Does New Zealand have concerns about nuclear powered submarines generally or nuclear proliferation risks from AUKUS?

- As set out in our 1987 legislation, New Zealand has taken the view that nuclear propelled vessels are not for us, or for our ports.
- We have always been clear that it is for other countries to make their own decisions on nuclear propulsion.
- We recognise that the AUKUS submarine initiative presents challenges for the global nuclear non-proliferation regime, which need to be carefully considered. We welcome

the AUKUS partners' reiteration of their non-proliferation obligations and commitments.

- We welcome the AUKUS partners' ongoing engagement with the International Atomic Energy Agency to address these challenges. We look forward to further advice from the IAEA, which is the world's international authority on this issue.
- [If asked about the safety of nuclear powered submarines] New Zealand has long advocated for the highest standards of nuclear safety, including in the context of the maritime transport of nuclear material. Nuclear safety is in everyone's interests and we welcome the AUKUS partners' commitment to this.

s6(a), s9(2)(g)(i)

- Pacific countries face a complex and growing array of challenges, including the impacts of climate change and an increasingly contested strategic environment.
- As a region, we have agreed that security responses within the Pacific should come first and foremost from within our Pacific family. As a member of the Pacific Islands Forum, Australia is part of the Pacific family.
- New Zealand and Australia will continue to work closely together to lift our engagement in the region and scale up our response to all these challenges, including through deepening our partnerships with Pacific Island countries.
- Our responses are developed through ongoing engagement with our Pacific partners and respond to their priorities.

s6(a), s9(2)(g)(i) - 1 page redacted

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Briefing for call with UK Secretary of State for Foreign, Commonwealth and Development Affairs, Rt Hon James Cleverly, 7:30 PM Monday 13 March

Haurongo – Biography



James Cleverly (53) became Foreign Secretary in September 2022, having previously served a short stint as Education Secretary (July to September) and before that as Minister of State (associate minister-equivalent) in the Foreign Office (North America, North Africa and the Middle East) since 2020. Cleverly is a Reserve Officer in the British Army. His wife, Susie, is currently undergoing treatment for breast cancer, which they have been public about in an effort to raise awareness. They have two sons.

You had an introductory call with Cleverly in early November 2022.

Ngā whakaritenga - Call logistics

- MFA's office to add

Ngā Whāinga – Objectives

- To receive Secretary Cleverly's briefing on AUKUS ahead of the AUKUS Leader's announcement, and convey Aotearoa New Zealand's key messages in response.
- To discuss planning for Secretary Cleverly's visit to Aotearoa New Zealand, including a joint trip to the Pacific.

Ngā Take - Issues

AUKUS

These points reflect key messages agreed between you Ministers Little, as well as additional messages drawn from the 7 March joint MFAT-MoD submission.

- Thank you for the briefing on the forthcoming Leaders' announcement – we appreciate the early outreach.
- We place great value on our relationship with the UK, and the significant defence and security aspects of this.
- We see the deterioration in the geostrategic situation in our region, and that is why we have our defence policy review underway.
- AUKUS is a set of arrangements to strengthen security in the region. It does not conflict with our existing Five Eyes arrangements.
- Our long-standing nuclear free policy is unchanged. We are interested, however, in potential cooperation on non-nuclear elements under Pillar Two of AUKUS.

- s9(2)(g)(i), s6(a)

s9(2)(g)(i), s6(a)

- s9(2)(g)(i), s6(a)

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Pacific Engagement

- Reiterate the positive engagement with the UK on Pacific issues. Welcome the UK's increased presence in the Pacific, ^{s6(a)} increased diplomatic footprint in the region; and support for regional mechanisms and initiatives.
- Register our similarity of approach amid a rapidly changing geostrategic environment. Reinforce that Aotearoa New Zealand welcomes the UK system's deliberate steps to lift Pacific engagement, including aligning resource and focus with the Pacific's own priorities.
- Note the good range of opportunities, both through new platforms ^{s6(a)} Partners in the Blue Pacific) and existing ones (PIF; Foreign Ministry Strategic Dialogue; CHOGM) for Aotearoa New Zealand and the UK to engage on Pacific issues.
- Register your enthusiasm for Foreign Secretary Cleverley's visit next month to the region, ^{s9(2)(g)(i)}

- s6(a)

s9(2)(d), s9(2)(j)

- s9(2)(d), s9(2)(j)

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Tuarongo - Background

AUKUS

1 Ahead of the AUKUS Leaders announcement, the AUKUS partners are briefing Aotearoa New Zealand in advance. On 9 March you spoke to Australian Foreign Minister Penny Wong, and Minister Little spoke to his Australian and UK counterparts. The PM will speak to PM Albanese at 11:30 am today (13 March). The US has engaged at senior officials' level.

2 PM Albanese will meet with President Biden and Prime Minister Sunak in San Diego on 13 March US time (14 March NZ time). ^{s6(a), s6(b)(i), s9(2)(g)(i)}

○ s6(a), s6(b)(i), s9(2)(g)(i)

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3 Key messages from the AUKUS partners' outreach to over the past few days have included:

● s6(a), s6(b)(i), s9(2)(g)(i)

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4 s6(a), s9(2)(g)(i)

Visit to Aotearoa New Zealand and Pacific Mission

5 In your introductory call with Cleverly last year you reiterated your invitation for the British Foreign Secretary to visit Aotearoa New Zealand in 2023 to hold the inaugural joint ministerial dialogue and to undertake a joint visit to the Pacific. ^{s6(a)}

6 s6(a)

s6(a), s6(b)(i), s9(2)(g)(i)

s6(a)

7 s6(a), s9(2)(g)(i)

8 s6(a)

- s6(a)
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March 2023

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AUKUS

The Aide Memoire from the DPMC PAG provides a factual briefing on the AUKUS partnership to support the 11 April Cabinet discussion ^{s6(a), s9(2)(g)(i)}

1 Our messaging on AUKUS: ^{s6(a), s9(2)(g)(i)}

- ^{s6(a), s9(2)(g)(i)}

2 ^{s6(a), s9(2)(g)(i)}

- ^{s6(a), s9(2)(g)(i)}

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3 **Next steps on Pillar Two:** New Zealand has clearly registered (both directly with the AUKUS partners, and publicly) its interest in discussing opportunities to engage on the non-nuclear aspects of AUKUS under Pillar Two. ^{s6(a), s9(2)(g)(i)}

- ^{s6(a), s9(2)(g)(i)}

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Annex: updated key messages on AUKUS

- Our priority is working alongside partners who share our values to ensure a secure, safe and stable region.
- We continue to welcome the increased engagement of the UK and US in the region, along with our ally Australia.
- We agree with the AUKUS partners the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- We too see the deteriorating strategic environment in our wider region. Aotearoa New Zealand's Defence Policy Review – currently underway – is part of our response to that.
- Aotearoa New Zealand has a long-standing and bipartisan nuclear free policy – that won't change.
- Pacific countries have long-standing concerns about nuclear issues. The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law - including the Treaty of Rarotonga. This is an important message.
- AUKUS includes cooperation in emerging security areas, including areas in which we already work closely with Australia, the US and the UK.
- We are interested in discussing with the AUKUS partners opportunities for cooperation on the non-nuclear aspects under Pillar Two.

*International Security and Disarmament Division
April 2023*

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AUKUS

Pito kōrero – Key points

- We continue to welcome the increased engagement of the UK and US in the region, along with our ally Australia.
- We agree with the AUKUS partners the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- We too see the deteriorating strategic environment in our wider region. We know that Pacific countries are focused on geostrategic pressures, as well as climate change as the existential security challenge facing the region.
- Aotearoa New Zealand's Defence Policy Review – currently underway – is part of our response to both, in the context of our broader Pacific Resilience Approach.
- Aotearoa New Zealand has a long-standing and bipartisan nuclear free policy – that won't change.
- We understand the region's long-standing concerns about nuclear issues. The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law – including for Australia the Treaty of Rarotonga. This is an important message.
- We welcome the AUKUS partners' ongoing engagement with the International Atomic Energy Agency to ensure robust safeguards and verification measures. We look forward to further advice from the IAEA, which is the international authority on this issue.
- AUKUS includes cooperation in emerging security areas, including areas in which we already work closely with Australia, the US and the UK.
- We are interested in discussing with the AUKUS partners opportunities for cooperation on the non-nuclear aspects under Pillar Two of AUKUS.

s9(2)(g)(i)

- s9(2)(g)(i)
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Papamuri - Background

What is AUKUS?

1. Announced in September 2021, the AUKUS trilateral security partnership between Australia, the United Kingdom and the United States, is a military technology partnership.

s6(a), s9(2)(g)(i)

2. s6(a), s9(2)(g)(i)

3. The initial and highest profile initiative under AUKUS is Australia's transition from its current fleet of conventionally armed, diesel powered submarines, to significantly more advanced conventionally armed, nuclear powered submarines - known as Pillar One of AUKUS. Pillar Two of AUKUS involves accelerated cooperation on a range of non-nuclear advanced military technologies and capabilities¹.

s6(a), s9(2)(g)(i)

The AUKUS Leaders' announcement and international reactions

4. The AUKUS Leaders' announcement on 14 March (13 March US) confirmed next steps for the AUKUS submarine initiative. This includes plans for increased US and UK submarine visits to Australia, including a rotational presence from 2027; Australian purchase of US conventionally armed, nuclear powered submarines (early 2030s); and the joint trilateral development of a new class of conventionally armed, nuclear powered submarine (for entry into service in the early 2040s).

5. s6(a), s9(2)(g)(i)

6. Pacific reactions have been mixed. s6(a), s9(2)(g)(i)

¹ Specific areas of focus include: undersea warfare; quantum; artificial intelligence; advanced cyber; hypersonics; electronic warfare; innovation; and information sharing.

s6(a), s9(2)(g)(i)

7. s6(a), s9(2)(g)(i)

8. s6(a), s9(2)(g)(i)

9. s6(a), s9(2)(g)(i)

10. s6(a), s9(2)(g)(i)

Potential Aotearoa New Zealand engagement in Pillar Two

11. s6(a), s9(2)(g)(i)

Ministers have confirmed to AUKUS counterparts New Zealand's interest in engaging on possible opportunities under Pillar Two. Our interest has also been confirmed publicly by Ministers.

Non-proliferation considerations, and the Treaty of Rarotonga

12. Aotearoa New Zealand has an interest in ensuring that AUKUS does not set a precedent for proliferation by other countries, and has been strongly supportive of the role of the International Atomic Energy Agency (IAEA) in engaging with AUKUS partners. The focus is determining robust safeguards and verification measures to ensure the highly enriched uranium used as submarine fuel cannot be diverted to other military uses, in

order to meet obligations under international law and to set a high threshold for any other state that might seek to follow the precedent set by AUKUS.

13. The AUKUS partners continue to emphasise that all three countries would continue to be in full compliance with their obligations under the Nuclear Non-Proliferation Treaty, and for Australia under the Treaty of Rarotonga². Australia has confirmed that the future rotational presence of UK and US submarines will be conducted in full accordance with Australia's Treaty obligations. ^{s6(a), s9(2)(g)(i), s9(2)(h)}

During Question Time on 6 April Minister Little rebutted assertions that AUKUS was contrary to the Treaty of Rarotonga, noting that the Treaty does not address nuclear propulsion.

14. The IAEA Director General has noted the Agency's satisfaction with the constructive engagement with the AUKUS partners to date. Following the AUKUS Leaders' announcement, the Director General issued a statement making the following key points:

- The AUKUS Parties have safeguards obligations which need to be implemented in accordance with their respective safeguards agreements and additional protocols with the Agency. Article 14 of Australia's Comprehensive Safeguards Agreement allows Australia to use nuclear material for nuclear propulsion for submarines provided that Australia makes an arrangement with the Agency in this regard.
- The Agency will continue to have its verification and non-proliferation mandate as its core guiding principle. It will exercise it in an impartial, objective and technical manner.
- Australian has formally requested the Agency to commence negotiations on an Article 14 arrangement. Once the arrangement is finalised, it will be transmitted to the Board of Governors of the IAEA for appropriate action.
- The Agency's role in this process is foreseen in the existing legal framework and falls strictly within its statutory competencies. The Director General will keep the IAEA Board informed and will submit a report to the next regular Board meeting in June 2023.

*International Security and Disarmament Division
April 2023*

² The Treaty of Rarotonga prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not prohibit the transit of vessels carrying nuclear weapons, explicitly leaving Parties to determine for themselves whether to allow visits, transit or navigation by foreign ships and aircraft (Article 5). The Treaty does not deal with nuclear propulsion.

(c) AUKUS

Key Objective

To emphasise that New Zealand understands the strategic drivers for AUKUS, and to re-register our interest in understanding more about Pillar Two.

s6(a)

Key Messages

- Note that New Zealand continues to follow AUKUS developments closely. s6(a)
- Register that we have a clear-eyed view of the geostrategic outlook in the Indo-Pacific. We understand the strategic drivers for AUKUS. The same drivers inform our Defence Policy Review, the development of our National Security Strategy, and our national security policy development more generally.
- Emphasise that we agree with the AUKUS partners that the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- Note that we underline this message in our regional interactions - as well as the message that New Zealand continues to welcome the UK and US' increased engagement in the region.
- Note that we also continue to emphasise that we are confident that Australia is meeting its international legal obligations, including under the Treaty of Rarotonga.
- Note that there are a range of regional views on AUKUS, including in the Pacific. We know outreach has been a priority for Australia. What are you hearing from the region?
- Note that as Australia knows, regional concerns about nuclear issues are long-standing, as is New Zealand's own nuclear-free policy. s6(a)
- Re-register that we continue to be interested understanding what Pillar Two might offer or mean for New Zealand. s6(a)
- s6(a)
- Re-register that we would welcome an officials' discussion about Pillar Two and what this means, particularly in terms of our bilateral defence relationship, and our common focus on interoperability in a challenging geostrategic environment.

If Raised Issues

If raised: AUKUS

- Emphasise that we understand the strategic drivers for AUKUS, given the deteriorating geostrategic outlook in the Indo-Pacific. The same drivers have informed our Defence Policy and Strategy Statement
- Re-register that we are interested in discussing opportunities for cooperation on the non-nuclear aspects under Pillar Two of AUKUS. We look forward to senior officials' engagement on this soon.

Out of scope - 2 pages redacted

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Out of scope

Out of scope

s6(a)

Out of scope - 2 pages redacted

Released under the Official Information Act 1982

RESTRICTED

AUKUS

What is AUKUS?

1. Announced in September 2021, the AUKUS trilateral security partnership between Australia, the United Kingdom and the United States, is a military technology partnership. s6(a)

2. s6(a)

3. The initial and highest profile initiative under AUKUS is Australia's transition from its current fleet of conventionally armed, diesel powered submarines, to significantly more advanced conventionally armed, nuclear powered submarines - known as Pillar One of AUKUS. Pillar Two of AUKUS involves accelerated cooperation on a range of non-nuclear advanced military technologies and capabilities¹, s6(a)

The AUKUS Leaders' announcement and international reactions

4. The AUKUS Leaders' announcement on 14 March confirmed next steps for the AUKUS submarine initiative. This includes plans for increased US and UK submarine visits to Australia, including a rotational presence from 2027; Australian purchase of US conventionally armed, nuclear powered submarines (early 2030s); and the development of a new class of conventionally armed, nuclear powered submarine (by the early 2040s).

5. s6(a)

6. s6(a)

7. s6(a)

8. s6(a)

On 23 April, the Prime Minister said (in a joint press conference with PM Albanese) that in respect of AUKUS, New Zealand - like Australia - was clear-eyed about the challenging Indo-Pacific strategic environment; that we agreed with the AUKUS partners that the collective objective was peace and stability and the preservation of the

¹ Specific areas of focus include: undersea capabilities; quantum; artificial intelligence; advanced cyber; hypersonics; electronic warfare; innovation; and information sharing.

international rules-based system in our region; and that we welcomed the assurance that AUKUS did not impact on Australia's commitment to non-proliferation.

9. s6(a)

Potential New Zealand engagement in Pillar Two

10. s6(a)

New Zealand has indicated to the AUKUS partners (and publicly) that we are open to conversations about what AUKUS Pillar Two might offer/mean for New Zealand, on a no commitments basis.

Non-proliferation considerations, and the Treaty of Rarotonga

11. New Zealand has an interest in ensuring that AUKUS does not set a precedent for proliferation by other countries, and has been strongly supportive of the role of the International Atomic Energy Agency (IAEA) in engaging with AUKUS partners. The focus is determining robust safeguards and verification measures to ensure the highly enriched uranium used as submarine fuel cannot be diverted to other military uses, in order to meet obligations under international law and to set a high threshold for any other state that might seek to follow the precedent set by AUKUS.

12. The AUKUS partners continue to emphasise that they will remain in full compliance with their obligations under the Nuclear Non-Proliferation Treaty, and for Australia under the Treaty of Rarotonga². They have engaged constructively in response to concerns raised about NPT obligations and the Treaty of Rarotonga. s6(a), s9(2)(h)

13. The IAEA Director General has noted the Agency's satisfaction with the constructive engagement with the AUKUS partners to date. The Director General's second report on AUKUS (released on 31 May) provided an update on the Agency's technical engagement with the AUKUS partners, including work towards developing a safeguards arrangement with Australia under Article 14 of Australia's Comprehensive Safeguards Agreement, and in-country verification activities in Australia.

*International Security and Disarmament Division
August 2023*

² The Treaty of Rarotonga prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not prohibit the transit of vessels carrying nuclear weapons, explicitly leaving Parties to determine for themselves whether to allow visits, transit or navigation by foreign ships and aircraft (Article 5). The Treaty does not apply to nuclear propulsion.

Hot issues — reactive lines

Out of scope

AUSTRALIA — AUKUS

- We continue to welcome the increased engagement of the UK and US in the region, along with our ally Australia.
- We agree with the AUKUS partners the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- We too see the deteriorating strategic environment in our wider region. We know that Pacific countries are focused on geostrategic pressures, as well as climate change as the existential security challenge facing the region.
- Aotearoa New Zealand's Defence Policy Review is part of our response to both, in the context of our broader Pacific Resilience Approach.
- Aotearoa New Zealand has a long-standing and bipartisan nuclear free policy — that won't change.
- We understand the region's long-standing concerns about nuclear issues. The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law — including for Australia the Treaty of Rarotonga. This is an important message.
- We welcome the AUKUS partners' ongoing engagement with the International Atomic Energy Agency to ensure robust safeguards and verification measures. We look forward to further advice from the IAEA, which is the international authority on this issue.
- Pillar Two of AUKUS includes cooperation in emerging security areas, including areas in which we already work closely with Australia, the US and the UK. Officials are having conversations about what Pillar Two might offer or mean for Aotearoa New Zealand, on a no commitments basis.

If raised: Treaty of Rarotonga

25. Australia has been clear that AUKUS is consistent with the Treaty of Rarotonga.
26. Based on what we know about AUKUS, we are confident that Australia can, and will, continue to meet its international legal obligations under the Treaty of Rarotonga.
27. Australia is a trusted partner and responsible international citizen. It takes compliance with its international legal obligations seriously, and there is nothing in AUKUS which gives us reason to doubt this commitment.
28. The Treaty of Rarotonga prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not apply to nuclear propulsion.

s9(2)(g)(i)

Out of scope

Released under the Official Information Act 1982

AUKUS

Ngā Take - Issues

- Aotearoa New Zealand agrees with the AUKUS partners that the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region. We understand the strategic drivers for AUKUS, given the deteriorating geostrategic outlook in the Indo-Pacific.
- The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law. We welcome their ongoing engagement with the International Atomic Energy Agency (IAEA) to ensure robust safeguards and verification measures.

Tuarongo - Background

1. The AUKUS Leaders' announcement in March confirmed next steps for Pillar One of AUKUS – the nuclear-propelled submarine initiative. ^{s6(a)}
2. ^{s6(a)}
3. ^{s6(a)}
4. Aotearoa New Zealand has an interest in ensuring that AUKUS does not set a precedent for proliferation by other countries, and is strongly supportive of the IAEA's engagement with the AUKUS partners. The AUKUS partners continue to emphasise that they will remain in full compliance with their obligations under the Nuclear Non-Proliferation Treaty, and for Australia under the Treaty of Rarotonga. ^{s9(2)(h)}
5. The IAEA Director General has noted the Agency's satisfaction with the constructive engagement with the AUKUS partners to date. The Director General's second report on AUKUS (released on 31 May) provided an update on the Agency's technical engagement with the AUKUS partners, including work towards developing a safeguards arrangement with

Australia under Article 14 of Australia's Comprehensive Safeguards Agreement, and in-country verification activities in Australia.

6. s6(a)

Aotearoa New Zealand has indicated to the AUKUS partners (and publicly) that we are open to conversations about what AUKUS Pillar Two might offer/mean for Aotearoa New Zealand, on a no commitments basis.

*International Security and Disarmament Division
August 2023*

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AUKUS

Intervention

- Our priority is to work alongside partners who share our values to ensure a secure, safe and stable region.
- We continue to welcome the increased engagement of the UK and US in the region, along with our ally Australia.
- We agree with the AUKUS partners that the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- We understand the strategic drivers for AUKUS - we too see the deteriorating strategic environment in our wider region. We know that Pacific countries are focused on geostrategic pressures, as well as climate change as the existential security challenge facing the region.
- Aotearoa New Zealand has a long-standing and bipartisan nuclear free policy – this won't change.
- We understand the region's long-standing concerns about nuclear issues. The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law – including for Australia the Treaty of Rarotonga. This is an important message.
- We welcome the AUKUS partners' ongoing engagement with the International Atomic Energy Agency to ensure robust safeguards and verification measures. We look forward to further advice from the IAEA, which is the international authority on this issue.
- **[Pillar two – if raised]** Pillar Two of AUKUS includes cooperation in emerging security areas, including areas in which we already work closely with Australia, the US and the UK. Officials are having conversations about what Pillar Two might offer or mean for New Zealand, on a no commitments basis.

If needed – Treaty of Rarotonga

- Australia has been clear that AUKUS is consistent with the Treaty of Rarotonga.
- Australia is a trusted partner and responsible international citizen. It takes compliance with its international legal obligations seriously, and there is nothing in AUKUS which gives us reason to doubt this commitment.

- Australia is a trusted partner and responsible international citizen. It takes compliance with its international legal obligations seriously, and there is nothing in AUKUS which gives us reason to doubt this commitment.
- The Treaty of Rarotonga prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not apply to nuclear propulsion.

Handling advice

- s6(a), s9(2)(g)(i)

Background

1. Announced in September 2021, the AUKUS trilateral security partnership between Australia, the United Kingdom and the United States, is a military technology partnership. s6(a)

2. s6(a)

3. The initial and highest profile initiative under AUKUS is Australia's transition from its current fleet of conventionally armed, diesel powered submarines, to significantly more advanced conventionally armed, nuclear powered submarines - known as Pillar One of AUKUS. Pillar Two of AUKUS involves accelerated cooperation on a range of non-nuclear advanced military technologies and capabilities, s6(a)

The AUKUS Leaders' announcement and international reactions

4. The AUKUS Leaders' announcement on 14 March confirmed next steps for the AUKUS submarine initiative. This includes plans for increased US and UK submarine

visits to Australia, including a rotational presence from 2027; Australian purchase of US conventionally armed, nuclear powered submarines (early 2030s); and the development of a new class of conventionally armed, nuclear powered submarine (by the early 2040s).

5. s6(a)

6. s6(a)

7. s6(a)

8. s6(a)

On 23 April, the Prime Minister said (in a joint press conference with PM Albanese) that in respect of AUKUS, New Zealand - like Australia - was clear-eyed about the challenging Indo-Pacific strategic environment; that we agreed with the AUKUS partners that the collective objective was peace and stability and the preservation of the international rules-based system in our region; and that we welcomed the assurance that AUKUS did not impact on Australia's commitment to non-proliferation.

9. s6(a)

s6(a)

Potential New Zealand engagement in Pillar Two

10. s6(a)

New Zealand has indicated to the AUKUS partners (and publicly) that we are open to conversations about what AUKUS Pillar Two might offer/mean for New Zealand, on a no commitments basis.

Non-proliferation considerations, and the Treaty of Rarotonga

11. New Zealand has an interest in ensuring that AUKUS does not set a precedent for proliferation by other countries, and has been strongly supportive of the role of the International Atomic Energy Agency (IAEA) in engaging with AUKUS partners. The focus is determining robust safeguards and verification measures to ensure the highly enriched uranium used as submarine fuel cannot be diverted to other military uses, in order to meet obligations under international law and to set a high threshold for any other state that might seek to follow the precedent set by AUKUS.

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Out of scope

s9(2)(g)(ii)

Kia ora s9(2)(g)(i)

The Australian High Commission has been in touch to provide advance notice of a forthcoming joint statement (at Leaders' level) that the three AUKUS partners are expected to issue Saturday 16 September NZT / Friday 15 September Washington DC time. This is to mark the second anniversary of the original AUKUS announcement. The High Commission has advised that the statement won't make any new announcements, but will provide a brief update on AUKUS implementation and reiterate the AUKUS partners' commitment to setting the highest non-proliferation standard.

Given the potential for renewed media interest in New Zealand's position on AUKUS, included below for reference is the set of existing key messages.

Cheers
s9(2)(g)(ii)

AUKUS Key messages

- Our priority is to work alongside partners who share our values to ensure a secure, safe and stable region.
- We continue to welcome the increased engagement of the UK and US in the region, along with our ally Australia.
- We agree with the AUKUS partners that the collective objective needs to be the delivery of peace and stability, and the preservation of the international rules-based system in the region.
- We understand the strategic drivers for AUKUS, given the deteriorating geostrategic outlook in the wider region. The same drivers have informed the development of our own defence and national security policy settings.
- Aotearoa New Zealand has a long-standing and bipartisan nuclear free policy – this won't change.
- Pacific countries have long-standing concerns about nuclear issues. The AUKUS partners have reiterated their commitment to non-proliferation, and their compliance with international law – including for Australia the Treaty of Rarotonga. This is an important message.
- We welcome the AUKUS partners' ongoing engagement with the International Atomic Energy Agency (IAEA) to ensure robust safeguards and verification measures. We look forward to further advice from the IAEA, which is the international authority on this issue.
- **[Pillar two – if raised]** Pillar Two of AUKUS includes cooperation in emerging security areas, including areas in which we already work closely with Australia, the US and the UK. Officials are having conversations about what Pillar Two might offer or mean for New Zealand, on a no commitments basis.

If needed – Treaty of Rarotonga

- Australia has been clear that AUKUS is consistent with the Treaty of Rarotonga.
- Based on what we know about AUKUS, we are confident that Australia can, and will, continue to meet its international legal obligations under the Treaty of Rarotonga.
- Australia is a trusted partner and responsible international citizen. It takes compliance with its international legal obligations seriously, and there is nothing in AUKUS which gives us reason to doubt this commitment.
- The Treaty of Rarotonga prohibits the manufacture, use, testing and possession of nuclear weapons in the South Pacific region. It does not apply to nuclear propulsion.
- s9(2)(g)(i)

s9(2)(g)(ii) [Lead Adviser | International Security Policy](#)

[Ministry of Foreign Affairs & Trade | Manatū Aorere](#)

s9(2)(a)

s9(2)(g)(ii)