

11 April 2025

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proactive release

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Thank you for your email of 31 January 2025 in which you request the following under the Official Information Act 1982 (OIA):

1. *Copies of all briefings, reports, assessments, weekly bulletins, memos, or other documentation held by MFAT regarding:*
 - o *The seizure of a Cook Islands-registered vessel and any related diplomatic or policy implications for New Zealand.*
 - o *The flagging of vessels by the Cook Islands and any associated concerns or discussions within the New Zealand Government.*
2. *Copies of all correspondence sent or received by MFAT regarding:*
 - o *The seizure of a Cook Islands-registered vessel, including communications with the Cook Islands government, foreign governments, international bodies, and other relevant agencies.*
 - o *The registration and flagging of vessels by the Cook Islands, including any discussions with international bodies, foreign governments, or New Zealand agencies.*

The timeframe for this request is November 1, 2024, to the present.

On 11 February 2025 we contacted you to invite you to refine your request to be for:

1. *Copies of all formal advice and formal reports, in the period 1 November 2024 to 31 January 2025 held by MFAT regarding:*
 - *The seizure of a Cook Islands-registered vessel and any related diplomatic or policy implications for New Zealand.*
 - *The flagging of vessels by the Cook Islands and any associated concerns or discussions within the New Zealand Government.*
2. *Copies of all formal correspondence, in the period 1 November 2024 to 31 January 2025, between MFAT and the Government of the Cook Islands regarding:*
 - *The seizure of a Cook Islands-registered vessel, including communications with the Cook Islands government, foreign governments, international bodies, and other relevant agencies.*

- *The registration and flagging of vessels by the Cook Islands, including any discussions with international bodies, foreign governments, or New Zealand agencies.*

On the same day you agreed to this refinement.

On 11 March 2025, the timeframes for responding to your request were extended by an additional 23 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 (section 15A(1)(a) and (b) of the OIA refers).

A response to each part of your request is set out below.

Part one

There are 7 items in scope of this part of your request:

Part One: Formal advice and Formal reporting			
#	Title	Date	Decision
1.	FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY [7(b)(i); 7(b)(ii)]	15 November 2024	6(a); 7(b)(i); 7(b)(ii); 9(ba)(i); 9(2)(g)(i)
2.	File Note: Joint Ministerial Forum Working Group (JMFWG) & Joint Defence and Security Dialogue (JDaS) (attachment to Formal Message dated 11 December 2024)	29 November 2024	Extracts released 7(b)(i); 7(b)(ii); out of scope
3.	FORMAL MESSAGE: MINISTER PETERS' VISIT TO LONDON 28 – 29 NOVEMBER	4 December 2024	Withheld in full (including attachments)- 6(a); 9(2)(a) 9(ba)(i); 9(ba)(ii); 9(2)(g)(ii); out of scope
4.	FORMAL MESSAGE: NEW ZEALAND/COOK ISLANDS JOINT MINISTERIAL FORUM WORKING GROUP AND INAUGURAL JOINT DEFENCE AND SECURITY DIALOGUE – 29 NOVEMBER 2024	11 December 2024	Extracts released 6(a); 7(b)(i); 7(b)(ii); out of scope
5.	FORMAL MESSAGE: FINLAND: UNDERSEA CABLE DAMAGE: COOK ISLANDS LINK	27 December 2024	6(a); 6(b)(i); 7(b)(i); 7(b)(ii)
6.	FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY - TASKING FOR POSTS	10 January 2025	6(a); 7(b)(i); 7(b)(ii); 7(c)(i); 9(2)(ba)(ii); 9(2)(f)(iv); 9(2)(g)(i)
7.	FORMAL MESSAGE: BALTIC SEA: UNDERSEA INFRASTRUCTURE: ANCHOR ME	11 January 2025	6(a); 6(b)(i)

Documents 1, 2 and 4 are publicly available on the Ministry of Foreign Affairs and Trade (the Ministry) website at: <https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29880-Cook-Islands-Shipping-Registry-28-March-2025.pdf>. We direct your attention to pages 4 and 5, and pages 20 and 21.

Documents 5, 6 and 7 are publicly available on the Ministry website at: <https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29892-Cook-Islands-Shipping-Registry-Eagle-S-20-March-2025.pdf>. We direct your attention to pages 9-35 of the document.

Document 3 is 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;
- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(ba)(i): to protect the supply of confidential information by a third party; and
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment.

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

Part two

There is one item which contains information in scope of the second part of your request, a letter dated 23 January 2025 from Bede Corry, Secretary of Foreign Affairs and Trade, New Zealand Ministry of Foreign Affairs and Trade, to Tapaeru Herrmann, Secretary of Foreign Affairs and Immigration, Ministry of Foreign Affairs and Immigration, Cook Islands Government.

We are providing you an excerpt of this letter, where it refers to the Cook Islands Shipping Registry (section 16(a)(e) of the OIA refers):

I would also look to use the opportunity of my visit to discuss a number of other issues that we consider pose risk to the Realm and to the special character of the relationship, such as the Cook Islands passport proposal, and the deep reputational risks to the Realm posed by your shipping registry.

The Ministry has not received a reply to this letter.

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 Ministry 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

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

Sarah Corbett
for Secretary of Foreign Affairs and Trade