

1 May 2025

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Personal details removed for proactive release

OIA 29933

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Thank you for your email of 7 February 2025 in which you request the following under the Official Information Act 1982 (OIA):

- 1. Reports, memos and briefings (or any other formal documents) prepared by the Ministry for the Minister leading to the November 28 announcement by the Minister that New Zealand would join international partners in sanctioning "shadow fleets".*
- 2. Correspondence between New Zealand officials or ministers and Cook Islands officials or ministers concerning the Cook Islands shipping register, particularly the flagging of "shadow fleet" vessels, since Jan 1 2020 until the date of this request.*
- 3. Reports, memo, briefings and internal MFAT correspondence including emails concerning Cook Island-flagged vessels being either identified in media reports as transporting Russian cargo or being linked to utility-cable damaging activities in the Baltic Sea prepared or sent since February 24, 2022.*

On 17 February 2025 we contacted you seeking to refine your request. On the same day we agreed to your refined request to be for:

- 1. Formal advice prepared by the Ministry of Foreign Affairs and Trade for the Minister of Foreign Affairs relating to the November 28 announcement by the Minister that New Zealand would join international partners on the call to action, sanctioning "shadow fleets".*
- 2. Formal correspondence between the Ministry of Foreign Affairs and Trade and the Government of the Cook Islands concerning the Cook Islands shipping register, particularly the flagging of "shadow fleet" vessels, between 1 February 2022 and 7 February 2025.*
- 3. Formal reports and advice prepared by the Ministry of Foreign Affairs and Trade concerning Cook Island-flagged vessels, between 1 January 2024 and 7 February 2025.*

On 17 March 2025, the timeframes for responding to your request were extended by an additional 30 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).

There is some overlap between the information in scope of part one of your request and the information in scope of part three of your request, so we have combined our answers to these parts of your request for administrative convenience.

The documents listed in the table below are 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 individuals' privacy;
- 9(2)(ba)(i): to protect the supply of confidential information by a third party;
- 9(2)(ba)(ii): to protect confidential information that would be likely to damage public interest;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments; and
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment.

Documents withheld in Full			
No.	Title	Date	Decision
1.	FORMAL MESSAGE: SHADOW FLEET COOK ISLANDS	9 Oct 2024	Withheld in full – 6(a); 6(b)(i); out of scope
2.	FORMAL MESSAGE: MINISTER PETERS' VISIT TO LONDON 28 – 29 NOVEMBER	4 Dec 2024	Withheld in full (including attachments)- 6(a); 9(2)(a) 9(ba)(i); 9(ba)(ii); 9(2)(g)(ii); out of scope

The documents listed in the table below are publicly available on the Ministry of Foreign Affairs and Trade (the Ministry) website. Therefore your request for these documents is refused under section 18(d) of the OIA, as this part of the information you requested is publicly available.

Documents publicly available			
No.	Title	Date	Notes
1	FORMAL MESSAGE: SHADOW FLEET CALL TO ACTION [6(b)(i)]	4 Oct 2024	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29880-Cook-Islands-Shipping-Registry-28-March-2025.pdf [pages 6 to 11]
2	FORMAL MESSAGE: REGISTERING NEW ZEALAND'S CONCERNS WITH THE COOK ISLANDS SHIPPING REGISTRY – "DARK FLEET" ASSOCIATIONS	21 Oct 2024	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29880-Cook-Islands-Shipping-Registry-28-March-2025.pdf [pages 12 to 19]

3	File Note: Joint Ministerial Forum Working Group (JMFWG) & Joint Defence and Security Dialogue (JDaS) (attachment to Formal Message dated 11 December 2024)	29 Nov 2024	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29880-Cook-Islands-Shipping-Registry-28-March-2025.pdf [extract 2 page 5]
4	FORMAL MESSAGE: NEW ZEALAND/COOK ISLANDS JOINT MINISTERIAL FORUM WORKING GROUP AND INAUGURAL JOINT DEFENCE AND SECURITY DIALOGUE – 29 NOVEMBER 2024	11 Dec 2024	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29880-Cook-Islands-Shipping-Registry-28-March-2025.pdf [extract 1 page 4]
5	FORMAL MESSAGE: FINLAND: UNDERSEA CABLE DAMAGE: COOK ISLANDS LINK	27 Dec 2024	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29892-Cook-Islands-Shipping-Registry-Eagle-S-20-March-2025.pdf [pages 9 and 10]
6	FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY - TASKING FOR POSTS	10 Jan 2025	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29892-Cook-Islands-Shipping-Registry-Eagle-S-20-March-2025.pdf [pages 11 to 31]
7	FORMAL MESSAGE: BALTIC SEA: UNDERSEA INFRASTRUCTURE: ANCHOR ME	11 Jan 2025	Publicly available at https://www.mfat.govt.nz/assets/OIA/OIA-2025/OIA-29892-Cook-Islands-Shipping-Registry-Eagle-S-20-March-2025.pdf [pages 31 to 35]

The remaining 7 documents in scope of parts one and three of your request are listed in the table below.

Documents in scope of Part Three			
	Title	Date	Decision
1	Dark fleet - Additional information and amended TP's	28 Nov 2024	6(a); 6(b)(i); 6(b)(ii); 7(b)(i); 7(b)(ii); 9(2)(g)(i); 9(2)(g)(ii); out of scope
2	Dark Fleet Update	6 Dec 2024	7(b)(i); 7(b)(ii); 9(2)(a); 9(2)(ba)(i); 9(2)(g)(ii); Out of scope

3	For RRO action: Key points to provide to MFAI on dark fleet (w attachments)	6 Dec 2024	7(b)(i); 7(b)(ii); 9(2)(a); 9(2)(ba)(i); 9(2)(g)(ii)
4	Cook Islands: Formal Consultations led by Secretary of Foreign Affairs and Trade	27 Feb 2025	6(a); 7(b)(i); 7(b)(ii); 9(2)(g)(i)
5	Cook Islands Shipping Registry - dark fleet (update)	27 Jan 2025	6(a); 7(b)(i); 7(b)(ii); 7(b)(iii); 9(2)(a); 9(2)(ba)(i); 9(2)(g)(i); 9(2)(g)(ii)
6	FORMAL MESSAGE: NZ SECRETARY OF FOREIGN AFFAIRS FORMAL CONSULTATIONS WITH COOK ISLANDS COUNTERPART	29 Jan 2025	6(a); 7(b)(i); 7(b)(ii); out of scope
7	RE: FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY - TASKING FOR POSTS - MEETING WITH EU SANCTIONS ENVOY	5 Feb 2025	6(a); 7(a)(i); 7(b)(i); 7(b)(ii); 7(c)(i); 9(2)(ba)(i); 9(2)(f)(iv);

Some information in other 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(a)(i): to avoid prejudicing the security or defence of the self-governing State of the Cook Islands;
- 7(b): to avoid prejudicing relations between the Government of New Zealand: Government of the self-governing State of the Cook Islands and the self-governing State of Niue;
- 7(c)(i): to avoid prejudicing the international relations of the Governments of the self-governing State of the Cook Islands;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(ba)(i): to protect the supply of confidential information by a third party;
- 9(2)(f)(iv): to protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments; and
- 9(2)(g)(ii): to protect officers and employees from improper pressure or harassment.

There is one piece of correspondence in scope of part two of your request, a letter from Secretary of Foreign Affairs and Trade, Bede Corry, to Cook Islands Secretary of Foreign Affairs and Immigration, Tepaeru Herrmann, dated 23 January 2025.

The majority of the letter is outside the scope of your request. 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.

For your information, public statements about the call to action sanctioning shadow fleets can be found at:


- <https://www.beehive.govt.nz/release/chemical-weapons-and-iranian-missiles-targeted-new-russia-sanctions>;
- <https://www.mfat.govt.nz/en/media-and-resources/joint-statement-from-australia-and-new-zealand>; and
- <https://www.gov.uk/government/publications/the-shadow-fleet-a-call-to-action>.

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.

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', with a long horizontal stroke extending to the right.

Sarah Corbett
for Secretary of Foreign Affairs and Trade

Out of scope

IN-CONFIDENCE

From: s9(2)(g)(ii)

Sent: Thursday, November 28, 2024 9:06 PM

To: s9(2)(g)(ii)

Cc: s9(2)(g)(ii)

Subject: Dark fleet - Additional information and amended TP's

Hi s9(2)(g)
(ii)

SANS have made some suggested edits to the TPs below.

Additionally, I have attached a memorandum drafted from information from the NMCC memo and a few other sources. It is intended as a summary of the issue and to help inform those involved in the dialogue.

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

You can provide my summary memo alongside the NMCC appendices if you think it adds to the shared understanding.

Please let me know if there is anything more you would like from me in support of your meetings.

s9(2)(g)(ii)

Out of scope

Out of scope

Dark/Shadow Fleet

- As advised last week via TPN, in line with our position, New Zealand has now (on 28 November) joined the international 'Call to Action: Shadow Fleet' (alongside Australia) – announced 28 November.
- The 'shadow fleet' comprises vessels that are engaged in illegal operations for the purposes of circumventing sanctions, evading compliance with safety or environmental regulations, avoiding insurance costs or engaging in other unlawful activities.
- We remain deeply concerned about Russian and DPRK's use of 'shadow fleet' vessels to transport oil in contravention of the G7+ Oil Price Cap (to which New Zealand is a party) and like-minded partners sanctions regimes. These vessels present a global threat to our environment as they are old, often poorly maintained, do not meet international standards for safe crewing and operation, and are often under-insured or uninsured.
- 'Shadow fleet' vessels pose particular security, legal, economic, and reputational risks to the countries that choose to flag them and consequently, active steps are being taken by a number of shipping registries, s6(b)(i) to de-flag these vessels and remove them from their register.
- We are aware of your request for more specific and detailed information, particularly a list of vessels that are of concern.

s6(b)(ii)

- s6(b)(ii) three Cook Islands registered tanker vessels feature on like-minded partners sanctions lists (1 of these vessels are designated by US and 2 vessels are designated by the UK). Note it was 6 last week but 3 vessels have since been removed from the Cook Islands' register. Good to see quick action from MCI.
- s6(b)(ii)
- s6(b)(i)
- s6(b)(i) and the impact of the Call to Action, may also influence other shipping registries to improve the integrity of their registries.
- s6(b)(ii)
- This is an issue which will continue to garner a high degree of attention. The UK announced a large tranche of additional sanctioned vessels. s6(b)(i)
- s6(b)(i)
- We have worked together on capability building regarding the Shipping Register in the past. Would there be areas of interest for future cooperation?



New Zealand Sanctions Unit (NZSU)

Memo

To	s9(2)(g)(ii)	– DM PACPF
CC	s9(2)(g)(ii)	– Senior Policy Adviser PACPF
From	s9(2)(g)(ii)	– Compliance and Enforcement lead/ Deputy Head of Sanctions NZSU
Through	s9(2)(g)(ii)	- Head of Sanctions NZSU
Date	28 November 2024	
Re:	Vessels of concern - Cook Islands Shipping Registry	

Purpose:

1. This memo aims to summarise and provide key points from the New Zealand National Maritime Coordination Centre data on ships of concern 'flagged' to the Cook Islands Shipping Registry.

Request to New Zealand National Maritime Coordination Centre (NZ NMCC)

2. On 20 November 2024, the NZSU made a formal request to the NZ NMCC for information on ships listed on the Cook Islands shipping registry that were also listed on global sanction lists, as well as ships that were linked to 'dark/shadow fleet' activities.

What is a Dark fleet vessel and why do they pose a risk?

3. Shadow or dark fleet ships are operating inconsistent with international norms and standards – with direct implications for our environment, maritime safety and security, the integrity of international seaborne trade, respect for international maritime law. They undermine international efforts to up-hold the UN Charter through sanctions, regarding Iran, Russia, and wider non-proliferation efforts.
4. Shadow or dark refers to the practice when tanker vessels are observed switching off their vessel tracking transponders to avoid detection and hide the origin and destination of the goods they are carrying.
5. Shadow or dark fleet ships are defined by the International Maritime Organisation as ships

that are engaged in illegal operations for the purposes of circumventing sanctions, evading compliance with safety or environmental regulations, avoiding insurance costs or engaging in other illegal activities, which may include:

- a. Carrying out unsafe operations which do not adhere to international regulations and well-established and strict industry standards and best practices.
 - b. intentionally avoiding flag State and port State control inspections.
 - c. not maintaining adequate liability insurance or other financial security.
 - d. intentionally avoiding commercial screenings or inspections.
 - e. not operating under a transparent corporate governance policy that assures the welfare and safety of those on board and the protection of the marine environment; or
 - f. intentionally taking measures to avoid ship detection such as switching off their AIS or LRIT transmissions or concealing the ship's actual identity when there is no legitimate safety or security concern sufficient to justify such action.
6. Shadow or dark fleet vessels can carry up to, and in excess of 100,000 metric tonnes of crude oil. In the event of a maritime incident involving oil spillage, suggested estimates of clean-up costs range from \$9,000 - \$16,000 USD per tonne, meaning the approximate total cost could range from \$859 million to 1.6 billion USD.

Key points from NZ NMCC memorandum

s6(b)(ii)

s6(b)(ii)

s6(b)(ii)

Released under the Official Information Act

s6(b)(ii)

Released under the Official Information Act

Out of scope

UNCLASSIFIED

From: s9(2)(g)(ii)

Sent: Friday, December 6, 2024 3:03 PM

To: s7(b)(i), s7(b)(ii)

Cc: s7(b)(i), s7(b)(ii)

Subject: Dark Fleet Update

Kia orana s7(b)(i), s7(b)(ii)

Happy Friday!

I'm now back on island, and I understand from s9(2)(g)(i) that the team undertook to provide some further information on the dark fleet last week.

As discussed during the JMFVG, and with MFAI previously, New Zealand remains concerned about Russia and DPRK's use of 'shadow/dark fleet' vessels to circumvent sanctions. We agree with s7(b)(i), s7(b)(ii) that there is great reputational risk – as well as financial, environmental and security risks – to the Cook Islands government if the registry continues to be associated with flagging dark/shadow fleet vessels and activity.

As you know, these same concerns are shared by other partners. They were also raised directly with Deputy Prime Minister Peters at Ministerial level when he was in the UK last week. This rising international interest is shared within our system as we do not wish the Cook Islands to be associated with shadow/dark fleet activities.

We've recently become aware of the UK and US sanctioning further entities, including vessels – the US designated [four vessels](#) which are flagged under the Cook Islands' registry and one entity that owns, manages and operates a vessel flagged to the Cook Islands. Our team in Wellington had a quick look and identified them:

- **BERTHA** (IMO: 9292163), **OLIVE** (IMO: 9288265), **YURI** (IMO: 9235737), and **MIN HANG** (IMO: 9257137), as well as **Vision Ship Management LLP** which owns, manages, and operates the **RIO NAPO** (IMO: 9256913)

The team was glad to see that MCI has a Sanctions Monitoring Program, which positions the Cook Islands well to utilise its comprehensive pre-registration due diligence processes, a regular and ongoing compliance screening and monitoring programme, and processes for the removal of sanctioned vessels from the register. As you know, this allows the Cook Islands to see the

flagging history of vessels prior to (and post) registration – indicating those that may be looking for flags of convenience.

They were also pleased to read MCI's commitment to treating alerts on compliance seriously, and to undertake investigations and take affirmative action on vessels with 'dark fleet' alerts, including de-registering those found to be engaged or complicit in suspicious or illicit activity.

It is noteworthy that when the Cook Islands was previously advised of sanctioned vessels on their registry, immediate steps were taken to remove those vessels. We welcome that swift response.

The list

We asked our National Maritime Coordination Centre (NMCC) to compile some information (as at 25 November 2024) for passing on to MCI, and any other relevant regulatory bodies for action. These are attached:

- **Appendix 1:** Using the S&P Maritime Intelligence Risk Suite (IRS) database, we identified 229 vessels flagged by the Cook Islands. These include tankers, bulk carriers, yachts, tugs and various others – and ownership details.
- **Appendix 2:** This is the ship compliance screening used by S&P IRS (useful codes to understand when looking at Appendix 1).
- **Appendix 3:** Provides additional details of specific compliance warnings associated to named vessels.

Below are some key stats from NMCC's findings, noting that this information was pulled together on 25 November, and therefore does not contain the latest US/UK sanctioned vessels:

- **229** vessels on the Cook Islands Shipping Registry.
- **3** tanker ships and **1** superyacht were associated to global sanctions lists.
- **109** vessels had non-compliance markers against them, and **84** of those were categorised as tanker vessels.
- **77** were noted for engaging in ship-to-ship transfers.
- **76** were noted for engaging in dark activities.
- **50** were noted for going 'dark' or not being seen for periods of up to 7 days near a sanctioned country, with a possible call to a port or an inferred cargo transfer.
- **54** were noted for having an unknown Protection and Indemnity (P&I) Insurer which is in breach of an IMO resolution.
- **78** were older than 15 years.

Offer to meet with NZ Sanctions team/technical experts

s7(b)(i), s7(b)(ii)

We also consider there would be great value in having our technical experts (from our Sanctions Team, and the NZ NMCC) meet with yourselves, MCI and others – to talk to the information being provided, and share intel. This could be done virtually on Microsoft Teams, and depending on calendar availability, should be quick to organise.

Please let me know if you have any questions on the above, and particularly if you would like me to set up a meeting with our Sanctions team and NMCC.

Meitaki, and have a lovely weekend,

Second Secretary, Political

New Zealand High Commission Rarotonga | Te Aka Aorere
PO Box 21, Avarua, Rarotonga, Cook Islands

T s9(2)(a)

M s9(2)(a)

E s9(2)(g)(ii)

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Next 28 pages withheld under 9(2)(ba)(i)

Released under the Official Information Act

From: s9(2)(g)(ii)
To: s9(2)(g)(ii)
Cc: s9(2)(g)(ii)

Subject: For RRO action: Key points to provide to MFAI on dark fleet (w attachments)
Date: Friday, 6 December 2024 4:23:00 pm
Attachments: s9(2)(ba)(i)

Kia orana ^{s9(2)(g)(ii)}

One of the action points following last week's meeting with MFAI, included sending on information that our NZ National Maritime Coordinate Centre (NMCC) team have pulled together – to highlight vessels of concern that are flagged under the Cook Islands Shipping Registry. This was compiled last week, and is now ready for Post to provide to MFAI.

PACPF and LGL/SAN worked up some points for you to massage into an email to MFAI to provide context to the attachments. Our Sanctions team (copied in) and NMCC folks have kindly agreed to offering a meeting with MFAI & co, to discuss the attached and share information. I think it would be useful to do so, so NMCC can talk about their methodology – which can be a bit tricky to understand from my layman/non-expert perspective! Grateful if Post could include the offer in the email (TP provided) as well as during your next meeting with MFAI.

Timing: We think it's important to send the email this week (either today or tomorrow CIKT). The lists were pulled together last week, and will get more outdated the longer we leave it. We had also promised it to MFAI for this week.

Hopefully the above and below makes sense – please let us know if you have any questions.

Key points for email:

- As discussed during the JMFWDG last week, New Zealand remains concerned about Russia and DPRK's use of 'shadow/dark fleet' vessels to circumvent sanctions. We agree with s7(b)(i), s7(b)(ii) that there is great reputational risk – as well as financial, environmental and security risks - to the Cook Islands government, if the registry continues to be associated with flagging dark/shadow fleet vessels and activity.
- These same concerns are shared by other partners. They were also raised directly with Deputy Prime Minister Peters at a Ministerial level when he was in the UK last week. This rising international interest is shared within our system as we do not wish the Cook Islands to be associated with shadow/dark fleet activities.
- We've recently been aware of the UK and US sanctioning further entities, including vessels – the US designated [four vessels](#) which are flagged under the Cook Islands' registry and one entity that owns, manages and operates a vessel flagged to the Cook Islands. Our team had a quick look and identified them:
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- It was good to see that Maritime Cook Islands (MCI) has a *Sanctions Monitoring Program*, which positions the Cook Islands well to utilise its comprehensive pre-registration due diligence processes, a regular and ongoing compliance screening and monitoring programme, and processes for the removal of sanctioned vessels from the register. This would allow you to see the flagging history of vessels prior to (and post) registration – indicating those that may be looking for flags of convenience.
- It was also great to read MCI's commitment to treating alerts on compliance seriously, and to undertake investigations and take affirmative action on vessels with 'dark fleet' alerts including, de-registering those found to be engaged or complicit in suspicious or illicit activity.
- It is noteworthy that when the Cook Islands were previously advised of sanctioned vessels on their registry, immediate steps were taken to remove those vessels. We welcome that swift response.

The list

- We asked our National Maritime Coordination Centre (NMCC) to compile some information (as at 25 November 2024) for passing on to MCI, and relevant regulatory bodies for action. These are attached:
 - **Appendix 1:** Using the S&P Maritime Intelligence Risk Suite (IRS) database, we identified 229 vessels flagged by the Cook Islands. These include tankers, bulk carriers, yachts, tugs and various others – and ownership details.
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- Below are some key stats from NMCC's findings, noting that this information was pulled together on 25 November, and therefore does not contain the latest US/UK sanctioned vessels:
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 - **54** were noted for having an unknown Protection and Indemnity (P&I) Insurer which is in breach of an IMO resolution.
 - **78** were older than 15 years.

Next steps – offer to meet with NZ Sanctions team/technical experts

- s7(b)(i), s7(b)(ii)

We also consider there would be great value in having our technical experts (from our Sanctions Team, and the NZ NMCC) meet with yourselves, MCI and others – to talk to the

information being provided, and share intel. This could be done virtually on Microsoft Teams, and depending on calendar availability, should be quick to organise.

Fa'afetai,

s9(2)(g)(ii) (she/her)

Senior Policy Adviser - Cook Islands & Niue

Pacific Polynesia & French Pacific (PACPF) Division | Te Rāwhiti o Te Moana
New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

Ms9(2)(a) Es9(2)(g)(ii)

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Next 23 pages withheld under section 9(2)(ba)(i)

Cook Islands: Formal Consultations led by Secretary of Foreign Affairs and Trade

Rarotonga, Monday 27 January 2025

Objectives

- Register New Zealand's deep concern at the current trajectory of the bilateral relationship s7(b)(i), s7(b)(ii)
- Out of scope
- Advise that other concerning issues Out of scope and the Cook Islands shipping registry, and we expect to be genuinely consulted.
- Emphasise that any fundamental changes to the relationship, which these issues foreshadow, require the agreement of both the Cook Islands and New Zealand Governments, as well as the Cook Islands people who are New Zealand citizens.

Key Messages

The Bilateral Relationship

- Express appreciation for the Cook Islands prioritising urgent formal consultations at short notice, especially as this is the first opportunity you have had to meet in person since taking up the role of Chief Executive and Secretary.
- 2025 is a milestone year for our relationship, as we mark the 60th Anniversary of Cook Islands' self-government in free association with New Zealand.
- New Zealand values our special constitutional relationship with the Cook Islands. The Realm relationship is unique and has developed over the decades in the spirit of partnership.
- The defining characteristics of our Realm relationships are: our allegiance to our shared sovereign; our shared citizenship; mutual obligations in respect of defence and security; shared values and shared interests as Realm partners; commitment to consultation. Our people and systems are deeply intertwined – they are mutually exclusive.

Out of scope

- 'Self-governance in free association' is not full independence and sovereignty. It is not possible for the Cook Islands to be fully independent and sovereign and continue to enjoy the benefits of being in the Realm.
- Should the Cook Islands want to change its status we stand ready for that conversation. But any developments or acts that would seek to change the character

of our special relationship would require the agreement of both the New Zealand and the Cook Islands Governments, as well as the Cook Islands people.

Current state of the bilateral relationship

- s7(b)(i), s7(b)(ii)

- We are deeply concerned that, despite being the Cook Islands' primary partner, we have experienced limited openness to engagement on issues that we consider mutually affect us and/or affect the interests of the Realm. This is not how we had hoped the relationship would be in this 60th Anniversary year.
- s7(b)(i), s7(b)(ii)

- s7(b)(i), s7(b)(ii)
 - We have a constitutional basis to our relationship that means you enjoy all the rights and privileges (and access) of New Zealand citizens, that we are Cook Islands largest development partner, and we are your security guarantor.
- Of equal concern is the lack of transparency we have experienced on these issues. s7(b)(i), s7(b)(ii)

- The lack of transparency is inconsistent with the spirit and letter of the 2001 Declaration in which both our governments agreed *inter alia* to consult regularly on foreign affairs matters and to advise each other when a proposed foreign policy initiative may affect the interests of the other partner.
- Just as the Cook Islands has a right to determine whether and how an issue affects you, New Zealand has the right to determine whether and how an issue affects us and needs to be discussed between us. This goes to the heart of mutual respect.
- These consultations need to be a circuit breaker. s7(b)(i), s7(b)(ii)
 - especially in a year that should be a celebration of what we have respectively achieved together.
- I am, therefore, coming to these discussions with a deep concern s7(b)(i), s7(b)(ii)
 - and a clear desire by our Minister that we find our way back to working together in partnership.

Out of scope

Out of scope

- It is in this spirit we have requested these formal consultations. I would like to discuss: Out of scope the reputational risks to the Realm posed by the Cook Islands' open s7(b)(i), s7(b)(ii) shipping registry;
Out of scope

Out of scope

Out of scope

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Out of scope

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Out of scope

Released under the Official Information Act

Out of scope

Released under the Official Information Act

Out of scope

Released under the Official Information Act

Shadow/Dark Fleet

- We are disappointed at ^{s7(b)(i), s7(b)(ii)} reluctance to discuss our concerns regarding the Cook Islands Shipping Registry, s7(b)(i), s7(b)(ii)
- We would not expect this from one of our closest partners. We consider this a legitimate subject that requires discussion between us.

New Zealand's mutual interest as a Realm partner

- We recognise that the Cook Islands independently manages its own shipping registry. However, as a Realm partner New Zealand has a shared interest, including security interests, in the Cook Islands managing its shipping registry in a way that upholds international peace and security and our shared values.
- Allowing sanctioned vessels to be registered to the Cook Islands' shipping registry is inconsistent with our shared values and our mutual commitment to uphold the purpose and principles of the United Nations Charter as articulated in the 2001 Joint Centenary Declaration.
- s6(a), s7(b)(i), s7(b)(ii)
- s7(b)(i), s7(b)(ii)

De-listing sanctioned vessels

- We have deep concerns about Russia, the DPRK and Iran's deliberate and targeted use of 'shadow fleet' vessels to transport oil in contravention of international sanctions regimes, including the G7+ Oil Price Cap on Russian oil (which New Zealand has adopted), as well as UNSC sanctions relating to DPRK oil imports.
- We seek the Cook Islands Government's assurance that it will not admit sanctioned vessels to its registry and will promptly deregister sanctioned vessels currently on there.
- We are concerned that, based on current publicly available information, there appears to be more sanctioned vessels on the Cook Islands registry than there were when we were last able to speak to you about these concerns (from 4 in November to 6 vessels as of 27 January).

Eagle S Incident Response

- New Zealand's concerns have heightened following the incident in the Baltic Sea involving the Cook Islands-registered vessel EAGLE S on December 25, 2024.
- How is the Cook Islands Government responding to the EAGLE S incident given the seriousness of the issue and potential consequences?

Risks posed to the Cook Islands by 'shadow fleet' vessels (whether sanctioned or not)

- We are concerned about the number of tanker vessels on the Cook Islands shipping registry with compliance warnings associated with the 'shadow fleet' and sanctions.
- The potential reputational, economic, environmental, and legal risks of having these vessels on your shipping registry has the potential to be significant.
 - The Cook Islands reputation could be affected if it is seen to be undermining the efficacy of international sanctions efforts of s6(a) countries.
 - In the event of a serious incident in relation to one of the Cook Islands-flagged vessels and the ship was uninsured or under-insured then an injured State may seek to hold the Cook Islands responsible for the costs of salvage or compensation for damage. s7(b)(i), s7(b)(ii)

Cleaning up its registry

- We would strongly encourage the Cook Islands to take immediate and active steps to examine and review its registry.
- Whilst the Cook Islands should remove sanctioned vessels immediately, we would also expect that you would:
 - take action to address high-risk, non-compliant vessels on your registry and prioritise those associated with the 'shadow fleet';
 - decline any registration applications from vessels with a poor compliance history or 'shadow fleet' associations;
 - proactively follow up with the owners of vessels with no listed or associated insurer to confirm their insurance details, or de-register them if they have no insurance;
 - ensure that the Cook Islands does not register 'flag hopping' vessels, being vessels that move registrations between countries to evade sanctions and avoid detection; and
 - ensure that flag-state obligations, including all relevant international standards, are fully complied with.
- We have previously worked together on capability building around strengthening shipping registries. We have New Zealand experts available and able to assist the Cook Islands if you need additional capacity to take proactive steps. We would be happy to take this forward with you, and if you are looking to revise your legislation around the Registry, we would be pleased to provide technical support.

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Out of scope

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Out of scope

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

- We are aware that a New Zealand media report on the Eagle S mischaracterised New Zealand's role with respect to the Cook Islands' foreign affairs.
- [Bede - you have a hard copy of the media points MFAT provided to the journalist that you could pass over to help clear up any misunderstanding or concern about New Zealand's public remarks.]

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

- As a Realm partner, we have a mutual interest in ensuring that your shipping registry is managed in a way that upholds international peace and security, our shared values, and does not undermine the Cook Islands (or by extension our own) international reputation – these are shared values founded in our foundational relationship documents (2001 Joint Centenary Declaration).
- We worked with Pacific partners in the past to strengthen Pacific shipping registries. The Cook Islands, through the Ministry of Transport, was part of that programme. We have good history in working together in this space and are here to help.

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

- We are not the only ones concerned about your shipping registry – something is not working well if the Cook Islands is getting this much negative attention across the world. The EAGLE S incident has not helped.
- s6(a), s7(b)(i), s7(b)(ii) the Cook Islands Registry is currently the only one with 'sanctioned vessels' in your registry – as at 27 January.
- **If pressed on data/numbers:** Note that the information we base our numbers on are from the S&P MIRS which holds the contract from IMO to maintain vessel registry under the IMO mandated requirements. We trust that flag states are updating these accordingly.

Table: s6(a) in-service vessels with sanctioned ships

s6(a)

	Cook Islands*
Total number of in-service ships	206
Total sanctioned ships	6

- We understand that the Registry (as at 27 January) is currently flagging 6 vessels that have been sanctioned by the US and the UK. This number has increased since we last informed MFAI in November. Why haven't these vessels been deregistered?

Table: Sanctioned vessels currently in the Cook Island shipping registry

	Vessel Name	IMO Identifying number	Ship Type	Sanction list	Sanctioning country
1	<i>FRUZE</i>	9263643	Crude/oil products tanker	OFAC	US
2	<i>SEA FIDELITY</i>	9285835	Crude/oil products tanker	HM Treasury Sanction	UK
3	<i>TANGO</i>	1010703	<i>Superyacht</i>	OFAC	US
4	<i>WORLD PROGRESS</i>	9300996	Chemical/Products tanker	OFAC	US
5	<i>AMELL</i>	9257993	Crude Oil Tanker	OFAC	US
6	<i>KAPAL CANTIK</i>	9224283	Crude Oil Tanker	OFAC	US

Out of scope

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RESTRICTED

From: s9(2)(g)(ii)

Sent: Monday, January 27, 2025 5:07 PM

To: s9(2)(g)(ii)

Cc: s9(2)(g)(ii)

Subject: Cook Islands Shipping Registry - dark fleet (update)

Talofa s9(2)(g)(ii)

You asked for more information about the Cook Islands shipping registry to support your ongoing conversations with PMO and MFA on this issue. Apologies for not sending this within your timeframe - other things have been keeping PACPF very occupied. However, we do hope you find the below update and answers to your questions, useful – as outlined below, we'll assess next steps following the Formal Consultations happening in Rarotonga tomorrow.

Do let us (and LGL/SAN) know if you need anything further.

-

Key points: Update on Cook Islands Shipping Registry and dark fleet concerns

- We remain concerned that the Cook Islands shipping registry (the Registry) is being used to register ships associated to Russia's dark fleet allowing those ships to operate contrary to international law and in the avoidance of global sanction restrictions.
- We have consistently raised our concerns with the Cook Islands government about this issue, including seeking to demarche them officials following the EAGLE S incident on 25 December 2024. Secretary Corry is currently in Rarotonga for urgent Formal Consultation on a few key bilateral issues, including our concerns with the Registry.

- In our engagement with the Cook Islands, we have sought to:
 1. reemphasise New Zealand's deep concern about the administration, oversight and resulting integrity of the Cook Islands shipping registry;
 2. seek clarity about how the Cook Islands Government is responding to the EAGLE S incident given the seriousness of the issue and potential consequences;
 3. seek assurance that all sanctioned vessels have been formally de-registered or that action is currently under way to do so;
 4. seek clarity and specifics about how MCI is ensuring that other high risk, non-compliant (but not necessarily sanctioned) vessels on its registry are being managed into compliance; and
 5. offer to send New Zealand experts to the Cook Islands to assist with a review of the registry or any vetting, auditing, and monitoring required.
- s9(2)(g)(i)
- s7(b)(i), s7(b)(ii)
- s6(a)
- We will assess our next steps following Secretary Corry's Formal Consultations. Options include drafting a letter reemphasising our position including offering support to efforts to strengthen their Registry oversight and management. s6(a), s7(b)(i), s7(b)(ii)

Background information

Cook Islands Shipping Registry

- The Cook Islands is a party to UNCLOS in its own right, and is accountable at international law to fulfil its obligations as a flag state. It manages, and is responsible for, its own shipping registry. s7(b)(i), s7(b)(ii)
- As a Realm partner, we have a mutual interest in the Cook Islands managing its shipping registry in a way that upholds international peace and security, our shared values, and does not undermine the Cook Islands (or by extension our own) international reputation.
- Our shared interests and our commitment to maintain shared values as Realm partners are captured in our foundational relationship documents – under our 2001 Joint Centenary Declaration, the Cook Islands committed to upholding a mutually acceptable standard of values in its laws and policies founded on the purpose and principles of the United Nations Charter, and for the rule of law.
- Dark fleet (also known as shadow fleet) vessels present a particular global threat to our environment as they are old, often poorly maintained, do not meet international standards for safe crewing and operation, and are often under-insured or uninsured.
- These vessels pose a range of security, legal, economic, environmental, and reputational risks to the countries that choose to bear the responsibilities of flagging them. For example, in the event of a

serious maritime incident – if the ship was uninsured or under-insured, an injured State may seek to hold the flag state responsible for the costs of salvage or compensation for damage. This possibility would be heightened where the flag state had not been meeting its IMO and other flag state-related obligations s7(b)(i), s7(b)(ii), s7(b)(iii)

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

Table: S&P MIRS shows the total number of in-service vessels flagged s6(a), s7(b)(i), s7(b)(iii) as at 27 January 2025:

	Cook Islands s6(a), s7(b)(i), s7(b)(iii)
Total number of in-service ships	210
Total sanctioned ships	6

How many vessels are on the Cooks registry and how many do we consider suspect? s6(a)

- s7(b)(i), s7(b)(iii), s9(2)(ba)(i) the Cook Islands Registry has about 824 ships, of which approximately 600 are yachts and 98 are oil tankers. The table below uses information from the S&P MIRS database – a trusted source linked directly to the IMO – and only capture vessels that meet criteria for registration with the IMO (crude oil tankers). s7(b)(i), s7(b)(iii), s9(2)(ba)(i)

Table: Cook Is Registry s6(a) – as at 27 January 2024

Flag	Total vessels on	Total sanctioned
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	registry	vessels	s6(a), s9(2)(g)(i)
Cook Islands	210	6	s6(a), s9(2)(g)(i)

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

Fa’afetai,

s9(2)(g)(ii)

Senior Policy Adviser - Cook Islands & Niue

Pacific Polynesia & French Pacific (PACPF) Division | Te Rāwhiti o Te Moana

New Zealand Ministry of Foreign Affairs & Trade | Manatū Aorere

M s9(2)(a) E s9(2)(g)(ii)

195 Lambton Quay, Private Bag 18901, Wellington 5045, New ealand

www.mfat.govt.nz | www.safetravel.govt.nz



From: s9(2)(g)(ii)

Sent: Wednesday, January 15, 2025 12:44 PM

To: ... s9(2)(g)(ii)

Cc: s9(2)(g)(ii)

s9(2)(g)(ii)

Subject: Re: Cook Islands Shipping Registry

To add to this: I don't think MFA has enough information yet either on the context (ie similar questions to those ^{s9(2)(g)(ii)} poses below) or our approach (including what steps/comments officials / our political leaders should be taking /making). I think such advice is already in train, we wrap this all together please? A timeframe along the lines of what ^{s9(2)(g)(ii)} suggests works for MFA too.

Best

s9(2)(g)(ii)

s9(2)(g)(ii)

Senior Foreign Affairs Adviser

Office of Rt Hon Winston Peters

New Zealand Deputy Prime Minister & Minister of Foreign Affairs

Phone/WhatsApp: s9(2)(a)

From: s9(2)(g)(ii)

Sent: Wednesday, January 15, 2025 12:19

To: s9(2)(g)(ii)

Cc: s9(2)(g)(ii)

Subject: Cook Islands Shipping Registry

Hi PACPF

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

Released under the Official Information Act

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

If we could get some info within the next 5 working days, that would be grand.

Best wishes - and thanks in advance

s9(2)(g)(ii)

s9(2)(a)

[Seemail][Restricted]

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From: [RAROTONGA](#)
To: [PACPF](#)
Cc: [CEQ](#); [OCE](#); [DCE](#); [DS PDG](#); [PACREG](#); [PACIFIC POSTS](#); [s6\(a\)](#) [FM.DPMC](#)
(FPA) (Seemail); [FM.P/S MFA](#) (Seemail); [s6\(a\)](#) ; [PACMM](#); [DEVCO](#); [DEVPP](#); [LGL](#); [UNHC](#);
[DS AAG](#); [DS MLG](#); [LONDON](#); [WASHINGTON](#); [BEIJING](#); [sb\(a\)](#) [NAD](#); [ISED](#); [AMER](#); [EUR](#);
[FM.Defence](#) (Seemail); [FM.DPMC](#) (Seemail); [SHANGHAI](#); [GUANGZHOU](#)
Subject: FORMAL MESSAGE: NZ SECRETARY OF FOREIGN AFFAIRS FORMAL CONSULTATIONS WITH COOK ISLANDS COUNTERPART
Date: Tuesday, 28 January 2025 5:43:54 pm

[RESTRICTED]

Rāpopoto – ‘Akako’uko’u – Summary

Out of scope

- s7(b)(i), s7(b)(ii)

Hohenga – Rave’anga – Action

For information

Pūrongo – Tuatua ‘Akakite – Report

MFAT Chief Executive Bede Corry, accompanied by Director General of Security for the New Zealand Security Intelligence Service Andrew Hampton, and UM PACPF, travelled to Rarotonga for Formal Consultations with Cook Islands Foreign Secretary Tepaeru Herrmann. The conversation touched on the issue of s7(b)(i), s7(b)(ii)
Eagle S incident, Out of scope

Out of scope

Out of scope

Out of scope

5 s7(b)(i), s7(b)(ii)

Out of scope

Released under the Official Information Act

Out of scope

Formal Consultations

Out of scope

13 He drew Herrmann's attention to Prime Minister Brown and Minister Elikana's promises to PM Luxon and DPM Peters regarding consultation and partnership.

referred to the Out of scope and the Cook Islands shipping registry and offered support to resolve the latter.
Out of scope

Out of scope

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Out of scope

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Shipping registry

34 s7(b)(i), s7(b)(ii)

35 s7(b)(i), s7(b)(ii)

orry explained that reputational risks arose for New Zealand because we oppose Russia's invasion of Ukraine. For countries that shared our views, it was clear that Russia was using the dark fleet to evade sanctions, and the Cook Islands' involvement in the dark fleet appeared to enable this. Many partners did not necessarily have a nuanced understanding of the New Zealand – Cook Islands relationship, so while the dark fleet threatened the Cook Islands' reputation in its own right, it also impacted New Zealand's by conflation.

Tākupu – Tā Mātou Manako – Comment

Out of scope

Mutu – Oti - End

Released under the Official Information Act

From: BRUSSELS
To: PACPF: LGL/SAN
Cc: RAROTONGA; CANBERRA; LONDON; OTTAWA; WASHINGTON; STOCKHOLM; LGL; PACREG; PACMM; DS PDG; CEO; DCE; DS EMA; DS AAG; DS MLG; DS TEG; DEVECO; EUR; ISED; AMER; AUS; NAD; ECO; MEA; ARD; SAPD; SSEA; ...PACIFIC POSTS; MOSCOW; ABU DHABI; BEIJING; ANKARA; WARSAW; TEHRAN; SEOUL; FM.P/S MFA (Seemail); FM.P/S Trade (Seemail); FM.DPMC (FPA) (Seemail); s6(a) (Seemail); FM.DPMC (Seemail); FM.Defence (Seemail); s6(a) FM.Treasury (Seemail); s6(a)
Subject: RE: FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY - TASKING FOR POSTS - MEETING WITH EU SANCTIONS ENVOY
Date: Wednesday, 5 February 2025 4:48:22 am

[RESTRICTED]

- s6(a)

- s6(a)

- s6(a)

Mutu – End

From: PACPF <PACPF@mfat.govt.nz>
Sent: Friday, January 10, 2025 4:21 AM
To: RAROTONGA <RRO@mfat.govt.nz>; CANBERRA <CBA@mfat.govt.nz>; LONDON <LON@mfat.govt.nz>; OTTAWA <OTT@mfat.govt.nz>; WASHINGTON <WSH@mfat.govt.nz>; STOCKHOLM <SKM@mfat.govt.nz>
Cc: PACPF <PACPF@mfat.govt.nz>; LGL/SAN <DM-LGL/SAN@mfat.govt.nz>; LGL <DM-LGL@mfat.govt.nz>; PACREG <PACREG@mfat.govt.nz>; PACMM <PACMM@mfat.govt.nz>; DS PDG <DSPDG@mfat.govt.nz>; CEO <DM-CEO@mfat.govt.nz>; DCE <DCE@mfat.govt.nz>; DS EMA <DM-DSEMA@mfat.govt.nz>; DS AAG <DM-DSAAG@mfat.govt.nz>; DS MLG <DM-DSMLG@mfat.govt.nz>; DS TEG <DM-DSTEG@mfat.govt.nz>; DEVECO <DM-DEVECO@mfat.govt.nz>; EUR <DM-EUR@mfat.govt.nz>; ISED <DM-ISED@mfat.govt.nz>; AMER <DM-AMER@mfat.govt.nz>; AUS <DM-AUS@mfat.govt.nz>; NAD <DM-NAD@mfat.govt.nz>; ECO <DM-ECO@mfat.govt.nz>; MEA <DM-MEA@mfat.govt.nz>; ARD <DM-ARD@mfat.govt.nz>; SAPD <DM-SAPD@mfat.govt.nz>; SSEA <DM-SSEA@mfat.govt.nz>; ...PACIFIC POSTS <PACIFICPOSTS@mfat.govt.nz>; MOSCOW <MOS@mfat.govt.nz>; ABU DHABI <ABD@mfat.govt.nz>; BEIJING <BEI@mfat.govt.nz>; ANKARA <ANK@mfat.govt.nz>; WARSAW <WSW@mfat.govt.nz>; TEHRAN <TEH@mfat.govt.nz>; SEOUL <SEL@mfat.govt.nz>; FM.P/S MFA (Seemail) <PS.MFA@mfat.govt.nz>; FM.P/S Trade (Seemail) <PSTrade@mfat.govt.nz>; FM.DPMC (FPA) (Seemail) <DPMCFPA@mfat.govt.nz>; s6(a)
; FM.DPMC (Seemail) <DPMC@mfat.govt.nz>; FM.Defence (Seemail) <fm.defence@nzdf.mil.nz>; s6(a)
FM.Treasury (Seemail)

<merlin@treasury.govt.nz>; s6(a)

marsec@maritimenz.govt.nz; FM.Transport Ministry (Seemail) <cables@transport.govt.nz>; s6(a)

Subject: FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY - TASKING FOR POSTS

[RESTRICTED]

Rāpopoto – ‘Akako’uko’u – Summary

- New Zealand's existing concerns about the Cook Islands shipping registry have increased following the 25 December incident in the Baltic Sea involving the Cook Islands-registered vessel *MT Eagle S*, which damaged subsea cables between Finland and Estonia.
- As the vessel is suspected of being part of the Russian 'shadow fleet', we seek clarity from the Cook Islands Government about its response to the incident given the seriousness of the issue and potential consequences.
- s7(b)(i), s7(b)(ii)
- We request RRO to demarche the relevant Cook Islands authorities to: reemphasise New Zealand's deep concern about the integrity of its shipping registry and seek assurance that all sanctioned vessels have been formally de-registered or that action is currently under way to do so. Post should also reiterate our offer to send experts to the Cook Islands to assist with a review of the registry or any vetting, auditing, and monitoring required.
- s6(a), s7(b)(i), s7(b)(ii)

Hohenga – Rave'anga – Action

RRO: Please demarche the relevant Cook Islands authorities s6(a), s7(b)(i), s7(b)(ii)
s7(b)(i), s7(b)(ii)

s7(c)(i)

SKM: Please update the Finnish authorities on New Zealand's actions regarding the *Eagle S* incident s6(a), s7(b)(i), s7(b)(ii)

Pūrongo – Tuatua ‘Akakite – Report

1 On 25 December 2024, a Cook Islands-flagged vessel – the *MT Eagle S* – damaged four international power and communications cables in the Gulf of Finland after it sailed over them with its anchor lowered s6(a)

The ship is a crude oil tanker operated by Caravella LLC-FZ, a company registered in the United Arab Emirates, but is suspected to be part of the Russian 'shadow fleet'. The 'shadow fleet' comprises ships engaged in illegal operations to circumvent sanctions, evade compliance with safety or environmental regulations, avoid insurance costs and/or engage in other illegal activities.

2 The *Eagle S* was marked as 'severe' in terms of non-compliance in a list compiled by New Zealand's National Maritime Coordination Centre (NMCC) that RRO provided to the Cook Islands Ministry of Foreign Affairs (MFAI) and Maritime Cook Islands (MCI) in

November 2024 (see FM dated 15 November for more detail). MCI is a private company that operates the Cook Islands' shipping registry. It has stated it is providing full cooperation to the Finnish authorities regarding the *Eagle S* incident.

3 In November 2024, MCI provided MFAT with a sanctions compliance update that stated MCI, as the Administrator of the Cook Islands shipping registry and consistent with Cook Islands Government policy, gives effect to sanctions imposed by the EU/G7, EU, UK, and the US (OFAC). It also stated sanctioned vessels seeking to register will not be registered, any vessel registered and sanctioned will be de-registered, and managers and operators who are sanctioned will have their flagged vessels de-registered.

4 s7(a)(i), s7(b)(i), s7(b)(ii)

gives MCI access to all the information it needs to act against non-compliant vessels, including de-registering sanctioned vessels. This

5 s7(b)(i), s7(b)(ii)

there are now additional vessels and one entity registered in the Cook Islands shipping registry that are on the OFAC sanctions list. If MCI s7(b)(i), s7(b)(ii) it should have received OFAC notifications regarding the blacklisting of these vessels and, according to its processes, should have de-registered them.

6 MCI is also a member of Registry Information Sharing Compact (RISC), an association of registries (including Liberia, Panama, and Marshall Islands) that aims to share information, helping to limit 'flag-hopping'. However, data from the S&P MIRS database and Lloyd List Intelligence (LLI) Database shows indications of 'flag hopping' or the movement of 'shadow fleet' vessels between registries involving these three countries and the Cook Islands.

Stepping up engagement with the Cook Islands

7 The seriousness of the *Eagle S* incident, coupled with the troubling responses to our concerns received to date from MCI and MFAI s7(b)(i), s7(b)(ii)

heightens our concerns about the administration, oversight and integrity of the Cook Islands shipping registry and the Cook Islands' compliance with its international obligations. The Cook Islands has obligations as a member of the International Maritime Organization (IMO) and has duties under Article 94 of UNCLOS as a Flag State. Accordingly, we consider it necessary to step up our engagement with the Cook Islands to reemphasise our strong concerns s7(b)(i), s7(b)(ii)

8 As a self-governing country in free association with New Zealand, the Cook Islands manages, and is responsible for, its own shipping registry and is also responsible at international law to fulfil its obligations as a Flag State. However, as a Realm partner, we have a shared interest in the Cook Islands managing its shipping registry in a way that upholds international peace and security, our shared values, and does not undermine the Cook Islands (or by extension our own) international reputation. Our shared interests and our commitment to maintain shared values as Realm partners are captured in a number of our foundational relationship documents. For example, under our 2001 Joint Centenary Declaration, the Cook Islands committed to upholding a mutually acceptable standard of values in its laws and policies founded on the purpose and principles of the United Nations Charter, and for the rule of law.

9 Given our shared interest in this issue, New Zealand has engaged consistently, for many years, with the Cook Islands on improving its registry and raising issues of concern. s7(b)(i), s7(b)(ii)

10 Increased engagement on this issue aligns with New Zealand's 28 November endorsement (alongside Australia) of the UK-led Call to Action against the 'shadow fleet' engaged in sanctions circumvention by carrying Russian oil and gas. New Zealand and likeminded sanctions regimes aim to hold Russia accountable for its breach of the UN

Charter by invading Ukraine.

11 s7(b)(i), s7(b)(ii)

s9(2)(f)(iv)

12 s7(b)(i), s7(b)(ii)

the relevant Cook Islands authorities s6(a)

we request that RRO demarche

– at your earliest opportunity to:

1. reemphasise New Zealand's deep concern about the administration, oversight and resulting integrity of the Cook Islands shipping registry;
2. seek clarity about how the Cook Islands Government is responding to the *Eagle S* incident given the seriousness of the issue and potential consequences, as the vessel is suspected of being part of the Russian 'shadow fleet';
3. seek assurance that all sanctioned vessels have been formally de-registered or that action is currently under way to do so;
4. seek clarity and specifics about how MCI plans to ensure that any other high risk, non-compliant (but non-sanctioned) vessels on its registry become compliant; and
5. offer to send New Zealand experts to the Cook Islands to assist with a review of the registry or any vetting, auditing, and monitoring required.

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

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

14 s7(c)(i)

Offer of support to Finland

15 Although it does not have diplomatic relations with the Cook Islands, s6(a)

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

s6(a), s7(c)(i)

Tākupu – Tā Mātou Manako – Comment

17 s7(b)(i), s7(b)(ii)

s7(b)(i), s7(b)(ii)

18 s7(b)(i), s7(b)(ii), s7(c)(i)

19 s7(b)(i), s7(b)(ii)

20 s7(b)(i), s7(b)(ii)

21 s7(b)(i), s7(b)(ii)

Mutu – Oti - End

From: RAROTONGA <RRO@mfat.govt.nz>

Sent: Friday, November 15, 2024 4:36 PM

To: PACPF <PACPF@mfat.govt.nz>; LGL/SAN <DM-LGL/SAN@mfat.govt.nz>; PACREG <PACREG@mfat.govt.nz>

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Subject: FORMAL MESSAGE: COOK ISLANDS SHIPPING REGISTRY: s7(b)(i), s7(b)(ii)

[RESTRICTED]

Rāpopoto – 'Akako'uko'u – Summary

- Maritime Cook Islands has run the Cook Islands open shipping registry since it was privatised in 1995. Cook Islands flagged vessels account for 0.4% of the world's shipping tonnage, with 824 vessels in total, including approximately 600 yachts and 98 tankers.

- s7(b)(i), s7(b)(ii)

- s7(b)(i), s7(b)(ii)

Hohenga – Rave'anga – Action

For information

Pūrongo – Tuatua 'Akakite – Report

HOM met with s7(b)(i), s7(b)(ii) of Maritime Cook Islands (MCI) on Friday for an introductory call and to discuss the shipping registry and dark fleet.

2 The Cook Islands' shipping registry was privatised in 1995, and the management contract awarded to MCI. s7(b)(i), s7(b)(ii)

The Cook Islands became a member of the International Maritime Organisation (IMO) in 2008.

3 MCI told us are currently 824 ships in the Cook Islands' registry, of which about 600 are yachts and 98 are tankers. 0.4% of the world's shipping tonnage is Cook Islands flagged, compared to the Marshall Islands, Liberia and Panama, which together make up 50% of global tonnage. s9(2)(ba)(i)

s9(2)(ba)(i)

4 s9(2)(ba)(i)

5 s9(2)(ba)(i)

6 s9(2)(ba)(i)

s9(2)(ba)(i)

7 HOM raised the question of the dark fleet, noting New Zealand's concern regarding Lloyd's List Intelligence (LLI) information which stated that 88% of Cook Islands flagged vessels were in the dark fleet. She also noted that New Zealand had been invited to join UK Prime Minister Starmer's Call to Action.

8 s9(2)(ba)(i)

9 s9(2)(ba)(i)

10 s9(2)(ba)(i)

11 s9(2)(ba)(i)

s9(2)(ba)(i)

12 s9(2)(ba)(i)

13 s9(2)(ba)(i)

14 s9(2)(ba)(i)

15 s9(2)(ba)(i)

Tākupu – Tā Mātou Manako – Comment

16 s7(b)(i), s7(b)(ii)

17 s7(b)(i), s7(b)(ii)

18 s7(b)(i), s7(b)(ii)

19 s7(b)(i), s7(b)(ii)

20 Should New Zealand join PM Starmer's Call to Action, we will engage with MCI, the Ministry of Transport and the Ministry of Foreign Affairs and Immigration to officially inform them. We have already foreshadowed this possibility with MFAI and MCI.
s7(b)(i), s7(b)(ii)

Mutu – Oti - End

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