

Proactive release: Critical Minerals

Date: 5 May 2026

Contents

1. Explanation of grounds for withholding information
2. **Submission** - Joint briefing – Further advice on US critical minerals engagements and next steps, dated 26 February 2026
3. **Cabinet Paper** - Further advice on critical minerals and next steps, dated 1 April 2026

Our previous proactive release can be found here: [Critical Minerals: Proactive Release | New Zealand Ministry of Foreign Affairs and Trade](#)

It contains the following pieces of advice and briefings on critical minerals:

1. **Briefing** – Critical Minerals: Approach to international engagement, 8 September 2025
2. **Briefing** – Managing bilateral interest in New Zealand’s critical minerals sector, 10 November 2025
3. **Briefing** – Initial steps for a critical minerals framework with the US, 1 December 2025
4. **Cabinet Paper** – A non-binding Framework on critical minerals between the United States and New Zealand, 2 February 2026
5. **Aide Memoire** – Going for Growth Trade and Investment Ministerial Group (Wednesday 3 December 2025),
6. **Briefing** - Draft United States – New Zealand critical minerals text and next steps, 16 December 2025
7. **Submission** – US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing, 26 January 2026
8. **Aide Memoire** – NZ-US Critical Minerals Framework, 30 January 2026
9. **Cabinet Minute** – A Non-Binding Framework on Critical Minerals Between the United States and New Zealand
10. **Event Brief** – Critical Minerals Ministerial Meeting, February 2026

Explanation of grounds for withholding information

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant sections of the Act that would apply have been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Key to redaction codes:

- 6(a): to avoid prejudicing 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)(b)(i): to protect the commercial position of the person who supplied the information;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments;
- 9(2)(f)(iv): the confidentiality of advice tendered by Ministers of the Crown and Officials;
- 9(2)(h): to maintain legal professional privilege; and,
- 9(2)(j): to not prejudice New Zealand's negotiating position.



BRIEFING

Joint briefing – Further advice on US critical minerals engagements and next steps

Date:	26 February 2026	Priority:	Medium
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0027996

Action sought		
	Action sought	Deadline
Rt Hon Winston Peters Minister of Foreign Affairs	Indicate your preference for next steps on US critical minerals engagements and how to present those next steps to Cabinet. s9(2)(f)(iv)	25 February 2026
Hon Shane Jones Minister for Resources	Indicate your preference for next steps on US critical minerals engagements and how to present those next steps to Cabinet. s9(2)(f)(iv)	25 February 2026

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Jo McKeagg	Divisional Manager, Economics Division, MFAT	s9(2)(a)	
Katherine MacNeill	General Manager, Resource Markets, MBIE		✓

The following departments/agencies have been consulted
N/A

Minister's office to complete:

Approved

Declined

Noted

Needs change

Seen

Overtaken by Events

See Minister's Notes

Withdrawn

Comments

Released by the Ministry of Foreign Affairs and Trade



BRIEFING

Joint briefing – Further advice on US critical minerals engagements and next steps

Date:	26 February 2026	Priority:	Medium
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0027996

Purpose

This briefing:

- provides you with further advice on next steps on international engagement on critical minerals, including the proposed draft non-binding *United States – New Zealand Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths* (the Framework) and the US' proposed *Agreement on Trade in Critical Minerals* (ATCM) and
- seeks your direction on next steps, including the timing and content of a Cabinet paper for the Minister of Resources to report back to Cabinet.

Executive summary

On 2 February 2026, Cabinet noted that New Zealand would not sign a proposed non-binding Framework with the US on 4 February at the Critical Minerals Ministerial in Washington DC and invited the Minister for Resources to provide further advice on the Framework, and to seek approval for the next steps [CAB-25-MIN-0018 refers].

At the Ministerial, the US signed bilateral frameworks with eleven countries, bringing the total number of signed frameworks now to 21. At the Ministerial the US also announced its intention to launch a binding plurilateral Agreement on Trade in Critical Minerals (ATCM). The aim of the ATCM is to diversify and strengthen supply chains for critical minerals s6(a), s6(b)(i)

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

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

We have not engaged with the US on the Framework text since late January. s6(a), s6(b)(i), s9(2)(j), s9(2)(g)(i)

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

Given that several unknowns remain, there are options for next steps:

1. s9(2)(j), s9(2)(f)(iv)

As noted previously, officials have engaged with Māori groups (Ngā Toki Whakarururanga, Te Taumata, and the Federation of Māori Authorities) on the proposed Framework. They have received the latest draft text of the Framework and continue to note their strong concerns and expectations on participating in bilateral or plurilateral negotiations.

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

We will come back to Ministers with advice on the ATCM when we see a text, including to seek a mandate and to set out the risks.

s9(2)(f)(iv)

Recommended action

The Ministry of Foreign Affairs and Trade, and Ministry of Business, Innovation and Employment recommends that you:

Background and the ATCM

2. **Note** that at the 4 February Ministerial in Washington DC, the US announced its intention to launch negotiations for an Agreement on the Trade in Critical Minerals (ATCM) which is expected to create a binding preferential trade bloc. s6(a), s6(b)(i)

Noted

3. **Note** the implications of the ATCM on the proposed bilateral Framework are unclear, officials do not have a 'zero draft' text for the ATCM and an accurate assessment of risks and opportunities is not currently possible.

Noted

4. s6(a), s6(b)(i)

Noted

5. s6(a), s6(b)(i)

Noted

Next steps on the bilateral Framework

6. **Note** that we previously advised Cabinet of the opportunities and risks of signing the Framework, s9(2)(j) impact on broader trading relationships and that preliminary outreach to Māori groups had identified concerns which have been notified to the Waitangi Tribunal Inquiry on Climate Change (WAI 3325).

Noted

7. **Note** that there are two options for next steps:

8. s9(2)(f)(iv), s9(2)(j)

Noted

9. **Indicate** your preference between these pathways and provide feedback on which options to present to Cabinet.

Pathway one preferred/Pathway two preferred

10. **Agree** to return to Cabinet before a bilateral framework is signed or before formal negotiations on the ATCM are commenced.

Agree/Disagree

Next steps on Māori/iwi engagement

11. **Note** that further engagement with Māori groups has confirmed their concern with the process and substance of the Framework, alongside reservations with cooperation with the US given recent geopolitical developments.

Noted

12. **Note** that MBIE's preliminary analysis is that the negotiation of a proposed binding ATCM will engage the Crown's settlement obligations relating to Crown Minerals because of the potential for it to result in policy changes.

Noted

13. **Note** that the concerns will be best addressed by further engagement taking place on the evolving international developments as early as possible.

Noted

14. **Note** that MBIE and MFAT will undertake further engagement with Māori groups and this will inform further advice.

Noted

s9(2)(f)(iv)

Agree/Disagree



Grahame Morton
Deputy Secretary, Americas and Asia Group,
MFAT

24 / 02 / 2025

Rt Hon Winston Peters
Minister of Foreign Affairs

..... / /



Paul Stocks
Deputy Secretary
Building, Resources and Markets, MBIE

24 / 02 / 2025

Hon Shane Jones
Minister for Resources

..... / /

Background

17. On 2 December 2025, the Ministry of Foreign Affairs and Trade (MFAT) received a draft of a non-binding United States – New Zealand Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths (the Framework).
18. With your agreement [BRIEFING-REQ-0025275], officials negotiated with US counterparts on the draft Framework, for you to take to Cabinet.
19. The draft Framework encourages cooperation on critical minerals matters including investment in mining and processing, mechanisms to address non-market practices, and geological mapping.
20. On 2 February 2026, Cabinet noted that New Zealand would not sign a non-binding Framework with the US on 4 February at the Critical Minerals Ministerial in Washington DC and invited the Minister for Resources to provide further advice on the Framework, and to seek approval for the next steps [CAB-25-MIN-0018 refers].
21. Subsequently, at the Ministerial (attended by 53 countries and the European Union) the US announced the proposed Agreement on Trade in Critical Minerals (ATCM). The US intends the ATCM to create a preferential trade zone for critical minerals through enforceable price floors. s6(a), s6(b)(i)
22. The US has now signed Frameworks with 21 countries (Argentina, Australia, the Cook Islands, DRC, Ecuador, Guinea, Indonesia, Japan, Kazakhstan, Malaysia, Mexico, Morocco, Paraguay, Peru, the Philippines, Rwanda, Thailand, the United Arab Emirates, the United Kingdom, Ukraine, and Uzbekistan) and is in negotiations with at least seventeen others. s6(b)(i), s6(a), s9(2)(g)(i), s9(2)(j)
- 23.
- 24.
25. s6(a), s9(2)(j), s9(2)(f)(iv)

Options for next steps on the US–NZ Framework on critical minerals

- Further revisions could address s9(2)(j) " and some concerns raised by Māori groups*
26. s6(a), s9(2)(h)

27. s9(2)(j)
28. s9(2)(j) but this is unlikely to fully address the concerns raised by Māori groups.
29. s6(a), s9(2)(j)
30. A range of risks have already been identified [BRIEFING-REQ-0025275 and Submission 26 January 2026 refers].
s6(b)(i), s9(2)(j)

32. s6(b)(i), s9(2)(j)

However, the US is waiting on our updated position. Negotiations are currently on hold with the US s6(b)(i), s9(2)(j)

33. Reasons to defer further engagement on the Framework are to enable a fuller understanding of the risks and opportunities including regarding s6(a) enable further time to engage with Māori groups. s6(b)(i), s9(2)(j), s6(a)

Further engagement with Māori groups reaffirmed their concerns

34. As noted in previous submissions on 1 December [BRIEFING-REQ-0023431], 16 December [BRIEFING-REQ-0025275], and 26 January 2026 there has been engagement with some Māori groups¹ on the proposed Framework under existing obligations to consult on international trade policy and other bilateral processes.
35. They have received the latest draft text of the Framework and have reaffirmed their strong concerns, broadly categorised into three elements: process, substance, and partnering with the US.
36. Ngā Toki Whakarururanga, one of the claimant groups in the Waitangi Tribunal's priority inquiry into climate change (Wai 3325), has raised the proposed Framework as an issue of

¹ Federation of Māori Authorities, Ngā Toki Whakarururanga, and Te Taumata

significant concern and sought directions for further disclosure. In its recent minute, the Tribunal declined to issue disclosure orders at this stage but noted that information relevant to the Framework should be addressed through upcoming Crown evidence. The Tribunal has directed MFAT and MBIE to provide an update on the Framework in March, and officials are working with Crown Law to prepare this material.

37. Te Taumata recognises the strategic opportunities for New Zealand and the economic potential for Māori businesses for participating in bilateral or plurilateral arrangements, but outlined that New Zealand's participation should be guided by the following: (1) the Treaty of Waitangi/te Tiriti o Waitangi must be incorporated in a meaningful way including through an exception clause (consistent with those included in all FTAs concluded since 2001) and that recognises Māori land, resource, and decision-making rights and interests; (2) provisions that seek to accelerate or streamline permitting must not create external pressure to weaken environmental protections, Treaty-consistent processes, or domestic law or constitutional arrangements; and (3) the instrument should create pathways for Māori participation in implementation, including in value chains (such as recycling, technology, mapping, and downstream processing).
38. MBIE administers over 60 Treaty-settlement relationship agreements, accords, and protocols relating to Crown-owned minerals. Many of these agreements with iwi and hapū require early engagement on policy issues and/or legislative amendments relating to the administration of the Crown mineral estate. For example, the Ngāti Porou Crown Minerals Protocol requires consultation on "... any policy and legislative development or review in relation to the administration of Crown owned minerals which may affect Ngāti Porou interests in relation to the Crown Minerals Protocol Area ...".
39. MBIE's preliminary analysis is that the negotiation of a proposed binding ATCM will engage the Crown's settlement obligations relating to Crown Minerals because of the potential for it to result in policy changes. Based on this preliminary analysis we consider that further engagement should take place on the evolving international developments.

s6(b)(i), s9(2)(j)

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s6(b)(i), s9(2)(j)

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

43. We are not currently a major critical minerals producer or refiner and have a nascent critical minerals extraction sector alongside a growing innovative mining technology sector. New Zealand's role in the global critical minerals supply chain is therefore limited in scale by comparison to other countries such as Australia. However, the objective of the *Minerals Strategy for New Zealand* is to double the value of our mineral exports to \$3bn by 2035. We also have core interests in securing the provision of critical materials (e.g. batteries, solar cells and components, magnets, and semi-conductors) which are derived from processed critical minerals for our environmental transition and to grow investment into our critical minerals sector.

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

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

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52. Meanwhile other global critical mineral initiatives are operating in parallel. This includes the US-led Forum on Resource Geostrategic Engagement (FORGE), the French-led critical minerals workstream in the G7, the International Energy Agency (IEA) Critical Minerals Working Party, OECD Critical Minerals Forum, and the QUAD Critical Minerals Initiative.

There are two pathways on the bilateral and ATCM

53. We seek your direction on which of two potential pathways to adopt:
 - a. s6(b)(i), s6(a)

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

b.

54. We also seek your direction on which options to present in the Cabinet Paper.

s9(2)(f)(iv)

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s9(2)(f)(iv)

Timeframes

65. We recommend a Paper be discussed at Cabinet in mid-April, s9(2)(j)
as well as further engagement with Māori. s6(a)

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Restricted

Office of the Minister of Foreign Affairs
Office of the Minister for Resources
Cabinet Economic Policy Committee

Further advice on critical minerals and next steps

Proposal

- 1 This paper provides Cabinet with a report back on a potential bilateral agreement with the United States (US) on critical minerals [CAB-26-MIN-0018 refers] and additional information on critical minerals.
- 2 We are seeking agreement to reengage with the US s9(2)(j) for the non-binding United States – New Zealand Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths.

Relation to government priorities

- 3 Critical minerals have the potential to support the Government's priorities to:
 - 3.1 strengthen New Zealand's economic security and resilience;
 - 3.2 grow regional economic development through responsible resource investment; and
 - 3.3 diversify New Zealand's international trade and investment partnerships, particularly in strategically important sectors such as critical minerals.
- 4 Development of our critical minerals sector would also align with the objectives of the Cabinet-endorsed *Minerals Strategy for New Zealand to 2040* to double the value of mineral exports by 2035.

Executive Summary

- 5 New Zealand has been approached by the US as part of their push to secure bilateral agreements on critical minerals with a wide range of countries. s9(2)(j) Cabinet noted the draft Framework would not be signed at a ministerial meeting hosted by the US on 4 February. Cabinet invited the Minister for Resources to return with further advice on the proposed Framework. At the ministerial the US also announced it will be negotiating a binding plurilateral Agreement on Trade in Critical Minerals (ATCM) to create a preferential trade zone for critical minerals including price floors. s6(b)(i)

- 6 Critical minerals have become a key global geostrategic concern and play a crucial role as inputs into a range of materials and end products, including advanced technology. The majority of production and processing of critical minerals sits with China s6(a), s9(2)(g)(i), s6(b)(i)
- 7 s6(a), s9(2)(g)(i) has been an international acknowledgement of the need for more resilient supply chains. Discussions are taking place across global organisations such as the International Energy Agency, the G7, and the OECD. The US has been moving at pace to guide the establishment of a new supply chain and deploy capital.
- 8 New Zealand has a part to play in creating a more resilient global critical minerals supply. We have the potential to produce several critical minerals and technology companies developing innovative processes to recycle and process critical minerals. New Zealand's reputation as a country with high standards in our resource sector could provide a future export advantage.
- 9 Developing New Zealand's resources and innovation will require investment and time. We will need increased investment from the private sector and international partners. Delivering on the critical minerals potential we have will support the goal of New Zealand's Minerals Strategy to double exports by 2035.
- 10 A non-binding Framework with the US could support our relationship with the US, promote investment, and stimulate interest in New Zealand's critical minerals sector but it also comes with risks. This includes: potentially leading to pressure to commit future Crown financing; s6(a) and degrading of social licence for mining.
- 11 Similar risks arise with the recently proposed ATCM s6(a)
- The implications of a binding critical minerals agreement need to be carefully considered against such risks also and the advantages of participating in initiatives to improve global supply chain resilience.
- 12 Initial engagement with iwi signalled they had concerns with the pace of the bilateral Framework as well as its content. MFAT will continue to engage through existing mechanisms and MBIE are planning broad iwi engagement on critical minerals under the Minerals Strategy in the coming months.
- 13 Despite these risks we recommend reengaging with the US on the bilateral Framework s6(a), s6(b)(i)

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

Background

- 14 On 1 December 2025, the Ministry of Foreign Affairs and Trade (MFAT) received a draft of a non-binding United States – New Zealand Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths (the Framework).
- 15 Officials negotiated with US counterparts on the draft Framework, and a proposed draft was taken to Cabinet on 2 February (see Appendix One). Cabinet noted that New Zealand would not sign a non-binding Framework with the US on 4 February at the Critical Minerals Ministerial in Washington DC and invited the Minister for Resources to provide further advice on the Framework, and to seek approval for the next steps [CAB-26-MIN-0018 refers].
- 16 At the 4 February Ministerial the US announced its intention to launch negotiations for a multilateral Agreement on the Trade in Critical Minerals (ATCM). The US intends the ATCM to create a preferential trade zone for critical minerals through enforceable price floors and rules around imports and investment. s6(a), s6(b)(i)

s6(a)

17 s6(a)

18 s6(a)

Most recently, China extended licensing controls to foreign-made products using critical minerals or processing technologies sourced from China s6(a), s9(2)(g)(i)

These restrictions were suspended in November 2025 for one year following negotiations between China and the US, s6(a), s9(2)(g)(i)

- 20 New Zealand purchases critical materials and finished products (s9(2)(ba)(i) from
China s6(a), s9(2)(g)(i)

The international community is mobilising to address the risk

- 21 In response to global strategic concentration risk, several of New Zealand's strategic partners have pressed for increased investment and international cooperation. The European Union, India, Japan, Korea, the United Kingdom, Australia, and the United States are among those adopting strategies to diversify and secure their critical minerals supply chains, including through international collaboration.
- 22 Several global critical mineral initiatives are operating in parallel. This includes the US-led Forum on Resource Geostategic Engagement (FORGE), the French-led critical minerals workstream in the G7, the International Energy Agency (IEA) Critical Minerals Working Party, OECD Critical Minerals Forum, and the QUAD Critical Minerals Initiative.

New Zealand has a part to play in the global critical minerals supply chain

- 23 International engagement supports Cabinet's agreed aim under the *Minerals Strategy for New Zealand to 2040* to double minerals exports to \$3bn by 2035. New Zealand's role in the critical minerals supply chain is likely to be as a trusted, reliable supplier of minerals extracted under high standards as well as a supplier of innovative recycling and production technology.
- 24 Being part supply chain diversification efforts will carry reputational value with key strategic partners as well as broader longer-term economic value through greater security for vital key materials for New Zealand manufacturing.
s6(a), s9(2)(g)(i)

We have existing and potential extractive opportunities (see Appendix Two)

- 25 New Zealand has a critical minerals endowment that can support global supply over time. One operation (Taharoa Ironsands) exports ironsand concentrate containing critical minerals (titanium and vanadium) and exporting to China for steel production.
- 26 Westland Minerals Sands has been exporting heavy mineral concentrate containing rare earth elements, titanium and zirconium to China for separation and processing. However, on 20 March it announced that it was placing its operation into temporary care and maintenance, citing an increase in production and export costs due to the Iran conflict and pricing pressure on global titanium and mineral sands markets.

- 27 Tāiko Critical Minerals has been awarded a mining permit to extract ironsands containing titanium zirconium and rare earths. They expect first production early in 2028. Two other South Island gold mines are exploring opportunities to produce antimony from waste streams s9(2)(b)(ii)

New Zealand Steel exports slag from its iron production processes that is processed to extract vanadium; and we import aluminium oxide and process it into aluminium metal at Tiwai Point.

- 28 MBIE considers there is potential to mine magnesium, nickel, chromium, titanium, phosphate, tungsten, and vanadium. Limited amounts of silica and lithium are currently being extracted from existing geothermal energy projects and there may be opportunities to extract critical minerals from supercritical geothermal projects.

Realising the potential critical minerals opportunities will take time and capital

- 29 Progressing an extraction opportunity from discovery to production takes capital and time. The time depends on the scale of the geological and engineering work required and permitting and consents. It generally takes around ten years to move from discovery to production for a small mine and up to 20 years for a large scale mine. It takes around three years if there is an existing mining permit. Capital will also be needed for projects that add value to extracted minerals such as processing infrastructure to increase the export value of the resource.

A growing number of innovative technology firms provide a further source of value

- 30 Recycling, recovery and reuse of critical minerals and novel extraction techniques are a growing area of research and investment. Several New Zealand firms are developing alternative recovery and recycling technologies for critical minerals. These technologies, if commercialised, could be delivered in other countries as intellectual property exports.
- 31 These firms typically use a model of research and development in New Zealand followed by a pilot plant and scaling to commercial scale overseas. s9(2)(ba)(i)

Our critical minerals will deliver domestic and international value

- 32 Growing New Zealand's critical mineral sector will deliver value through both domestic growth and supporting international partners and global supply chains.
- 33 For example, production commencement at Tāiko Critical Minerals could add about 135 high-paying jobs to the West Coast. s9(2)(b)(ii)

Tāiko development is subject to a successful capital raise.

- 34 Domestically, increased critical minerals production will benefit New Zealand through more high-paying jobs, increased economic activity and infrastructure in production regions, mineral royalties for Crown-owned mineral resources, increased taxes from new and expanded business activity and greater export value.
- 35 Internationally, New Zealand would be positioned in the critical minerals supply chain as a trusted, reliable supplier of minerals extracted under high standards and a supplier of innovative recycling and production technology. Our current mining operations provide a small but useful diversification of sought after critical minerals. Understanding the whole of life value of our critical mineral endowment will require additional work.

Investment will be vital to developing critical minerals opportunities

- 36 Developing critical minerals opportunities is capitally intensive. Extraction requires large capital investment in plant and equipment and technology solutions need investment in multiple stages to get to a commercial stage. International interest in global critical mineral security has meant increasing interest from our partners in New Zealand investment opportunities.
- 37 Officials have engaged with partners to discuss investment in New Zealand's minerals sector. s6(a), s6(b)(i), s9(2)(b)(ii)

The US has announced it has significant investment available for critical mineral projects, there could be opportunities for New Zealand projects.

- 38 Domestically, on 19 February 2026, Regional Development Ministers agreed to ring fence \$80m of Regional Investment Fund (RIF) for critical mineral projects. The projects seeking funding through the RIF are likely to also require additional investment from other sources. Crown-investment in these projects is likely to make them more attractive to partners and contribute to a growing critical minerals pipeline.

We seek your agreement on next steps on the US–NZ Framework on critical minerals

- 39 The US has signed Frameworks on critical minerals with 21 countries¹ and is in negotiations with 17 others.
- 40 s6(a), s9(2)(ba)(i)

¹ Argentina, Australia, the Cook Islands, DRC, Ecuador, Guinea, Indonesia, Japan, Kazakhstan, Malaysia, Mexico, Morocco, Paraguay, Peru, the Philippines, Rwanda, Thailand, the United Arab Emirates, the United Kingdom, Ukraine, and Uzbekistan

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

s6(a), s9(2)(h)

Regardless of amended language, risk will remain

44 Our previous paper [CAB-26-SUB- 0018] raised risks s6(a)

including: potentially leading to pressure to commit to future Crown financing; s6(a), s9(2)(g)(i)

s9(2)(j), s9(2)(g)(i) and degrading social licence.

Further engagement with Māori groups has reaffirmed concerns with the Framework

45 MFAT has engaged with Māori groups² on the proposed Framework under existing obligations to consult on international trade policy and other bilateral processes. They have reaffirmed their strong concerns on process, substance, and partnering with the US.

46 Ngā Toki Whakarururanga, one of the claimant groups in the Waitangi Tribunal's priority inquiry into climate change (Wai 3325), has raised the proposed Framework as an issue of significant concern and sought directions for further disclosure. In its recent minute, the Tribunal declined to issue

² Federation of Māori Authorities, Ngā Toki Whakarururanga, and Te Taumata

disclosure orders at this stage but noted that information relevant to the Framework should be addressed through upcoming Crown evidence. The Tribunal has directed MFAT and MBIE to provide an update on the Framework in March, and officials are working with Crown Law to prepare this material.

The US also proposes to commence negotiations on a plurilateral Agreement on Trade in Critical Minerals (ATCM)

47 s6(a), s6(b)(i)

48 s6(a), s9(2)(g)(i), New Zealand's interests are still aligned with the US intentions to diversify the critical minerals supply chain s6(a), s6(b)(i), s9(2)(g)(i)

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

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

And alternatives are years away

50 Alternative supply chains will likely take years to establish even with coordination and investment among partners. Recognising the direct and indirect economic equities, New Zealand needs to continue to balance the risks, s6(a)

51 s6(a)

MBIE will engage with iwi on critical minerals in the coming months

52 The negotiation of a proposed binding ATCM would engage the Crown's settlement obligations relating to Crown Minerals because of the potential for it to result in policy changes.

53 MBIE officials intend to write to a nationwide list of iwi who may have an interest in critical minerals to offer the opportunity to take part in information and engagement sessions on MBIE's ongoing critical minerals work. This work is part of the next phase of the Minerals Strategy. The focus will be on the development of the critical minerals sector in line with MBIE's responsibilities under the *Crown Minerals Act 1991*. MBIE will work with MFAT to identify how to address matters relating to trade and bilateral dimensions of New Zealand's critical minerals engagements, including as related to negotiation of a bilateral Framework arrangement with the US.

Next steps

54 Subject to Cabinet's approval of this paper, officials would re-enter negotiations with the US on the bilateral Framework. s6(a)
. Cabinet approval would be sought for conclusion of the Framework, and prior to any subsequent steps on the ATCM.

Cost-of-living Implications

55 There are no cost-of-living implications.

Financial Implications

56 As the Framework is non-binding there are no immediate fiscal implications attached to that arrangement. Future initiatives resulting from the Framework could carry fiscal implications including investment or financial support for

critical minerals through other mechanisms. The extent of these implications will need to be fully assessed as part of the further advice.

57 s9(2)(j)

Legislative Implications

58 As there are no policy proposals in this paper, there are no legislative implications.

Impact Analysis

Regulatory Impact Statement

59 A RIS is not required as there are no regulatory changes being proposed

Climate Implications of Policy Assessment

60 As there are no specific policy proposals at this stage, a Climate Implications of Policy Assessment disclosure is not required. A CIPA will be required if there are new policies and/or binding agreements that impact the emissions of the mining sector or associated industries.

Population Implications

61 There are no population implications.

Human Rights

62 s9(2)(h)

Use of external Resources

63 No external resources have been used in this work.

Consultation

64 This paper has been developed in consultation with The Treasury. The Department of Prime Minister and Cabinet Policy Advisory Group has been informed.

Communications

- 65 MFAT and MBIE, supported by relevant agencies, will prepare reactive material as well as material for a possible announcement for possible signing of the Framework. Any announcement on international cooperation in critical minerals would be led by the Minister of Foreign Affairs and supported by the Minister of Resources. s6(a), s9(2)(g)(i)
- 66 Agencies will continue to work with Ministers to anticipate and prepare for any emerging communication risks.

Proactive Release

- 67 Consistent with established practice for ongoing negotiations and the grounds to withhold set out in the Official Information Act 1982, the Minister of Foreign Affairs and Minister for Resources intend to delay the release of this Cabinet paper beyond 30 business days. Subsequent release would be in redacted form.

Recommendations

The Minister of Foreign Affairs and the Minister for Resources recommend that the Committee:

1. **Note** that Cabinet previously noted that New Zealand would be represented at a ministerial meeting hosted by United States (US) Secretary of State Rubio in Washington DC on 4 February 2026 on a proposed agreement with the US on a Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths (the Framework) and invited the Minister for Resources to report back with further advice on the proposed Framework, and to seek approval for the next steps [CAB-26-MIN-0018].
2. **Note** that at the 4 February Ministerial in Washington DC, the US announced its intention to launch negotiations for an Agreement on the Trade in Critical Minerals (ATCM) which is expected to create a binding preferential trade bloc.
3. s6(a)
4. **Agree** that officials should reengage with the US s9(2)(j) on the bilateral Framework, s6(a)
5. **Note** officials will provide further advice to Cabinet after further information is known about the ATCM text and the implications of the ATCM on the proposed bilateral Framework are clearer.

6. **Note** that Cabinet approval will be sought for conclusion of the Framework, and to confirm subsequent steps on the ATCM.
7. **Note** that further engagement with Māori groups has confirmed their concern with the process and substance of the Framework, alongside reservations with cooperation with the US given recent geopolitical developments. s9(2)
(f)
(iv)
8. **Note** the negotiation of a proposed binding ATCM would engage the Crown's settlement obligations relating to Crown Minerals because of the potential for it to result in policy changes.

Authorised for lodgement.

Rt Hon Winston Peters

Minister of Foreign Affairs

Hon Shane Jones

Minister for Resources

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Appendices

Appendix One Full text of the current draft non-binding framework on critical minerals

Appendix Two A3 on New Zealand's critical mineral production and potential

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s9(2)(j)

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RESTRICTED

s9(2)(j)

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RESTRICTED

RESTRICTED

s9(2)(j)

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