

Critical Minerals: Proactive Release

Date: 20 March 2026

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BRIEFING

Critical minerals: Approach to international engagement

Date:	8 September 2025	Priority:	Medium
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0019339

Action sought		
	Action sought	Deadline
Hon Shane Jones Minister for Resources	<p>Agree to our recommended approach to, and priorities for international government-to-government engagement on critical minerals.</p> <p>Agree to New Zealand seeking membership in the Minerals Security Partnership.</p> <p>Forward this briefing to the Minister of Foreign Affairs and Minister for Trade and Investment.</p>	12 September 2025

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Lena MacCarthy	Manager, Resource Policy	s9(2)(a)	✓
Ayesha Myra Amin	Principal Policy Advisor		

The following departments/agencies have been consulted
Ministry of Foreign Affairs and Trade

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Critical minerals: Approach to international engagement

Date:	8 September 2025	Priority:	Medium
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0019339

Purpose

To seek your agreement on our proposed approach to international, government-to-government engagement on critical minerals.

Executive summary

New Zealand's Minerals Strategy to 2040 sets a goal to double the value of mineral exports to NZ\$3 billion by 2035. An outcome of the Strategy is that our critical minerals are sought after and support resilient supply chains, here and overseas.

Responsible mining practices are increasingly prerequisites for attracting international investment in critical minerals. In addition to primary extraction, countries are also seeking recycled sources of critical mineral supplies. New Zealand's reputation for environmental stewardship, for transparent and efficient governance, and emerging innovation in circular economy methods, positions us as a credible and competitive partner in global supply chains.

We propose a focused international engagement strategy with three objectives: to attract inward investment across the critical minerals production chain; to seek research and development investment in and co-operation on processing, refining and recycling capabilities; and to engage in policy exchange that promotes diversified, transparent, and resilient supply chains.

To maximise impact, we recommend prioritising engagement with two categories of countries. First, major critical minerals consumers – s6(a) – who are actively seeking investment opportunities. Second, critical minerals producers – s6(a) – who are already key investors in New Zealand's minerals sector and offer opportunities for deeper collaboration.

s6(a) the Minerals Security Partnership (MSP), a plurilateral initiative that supports investment and policy co-ordination across the full minerals value chain. We recommend New Zealand seeks to join the MSP, specifically the MSP Forum of minerals producing countries, as a strategic first step. It provides a platform to advance all three engagement objectives efficiently. Bilateral co-operation may also be pursued selectively, where it offers strategic value beyond MSP engagement. Finally, we recommend participation in norm-setting forums such as the International Energy Agency on an ad hoc basis.

If you agree to New Zealand seeking membership in the MSP, officials will initiate membership discussions with Korea, the current MSP Chair, and coordinate with your office on a public announcement. Cabinet approval is not required, though an oral update to colleagues may be appropriate. There is an opportunity to announce our membership in late October when the Prime Minister visits Korea for APEC Leaders' Week.

Recommended action

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

- a **Note** that New Zealand has untapped potential to supply a range of critical minerals and innovative production and recycling technologies; *Noted*

- b **Note** that since the launch of the Minerals Strategy and Critical Minerals List in January 2025, there has been international government interest in partnering with New Zealand on critical minerals supply; *Noted*

- c **Agree** to the following objectives to guide officials' approach to international engagement on critical minerals:
 - a. Seek inward investment in the critical minerals production chain, including mining, secondary recovery, processing, refining and recycling.
 - b. Seek research and development investment in and co-operation on processing, refining and recycling capabilities.
 - c. Support international policies to diversify and secure global supply chains of critical minerals in a sustainable and responsible way;*Agree /Disagree /Discuss*

- d **Agree** that officials prioritise engagement with the following countries/regions:
 - a. Category 1 Critical minerals consumers: s6(a)
 - b. Category 2 Critical minerals producers: s6(a) ;*Agree /Disagree /Discuss*

- e **Note** that officials will continue engaging in international norm-building forums, such as the International Energy Agency Critical Minerals Working Party, on an ad hoc basis where New Zealand's voice is necessary to achieve our objectives of a diversified, transparent and resilient supply chain for critical minerals; *Agree /Disagree /Discuss*

- f **Agree** to New Zealand seeking membership in the Minerals Security Partnership; and *Agree /Disagree /Discuss*

- g **Forward** this briefing to the Minister of Foreign Affairs and the Minister for Trade and Investment. *Yes /No*



Lena MacCarthy
Manager, Resource Policy
 Building, Resources and Markets, MBIE

Hon Shane Jones
Minister for Resources

08 / 09 / 2025

10 / 9 / 2025

Background

1. On 31 January 2024, you launched New Zealand's Minerals Strategy to 2040 (the Strategy) and our first Critical Minerals List (CML). The overall goal of the Strategy is to double the value of New Zealand's mineral exports to \$3 billion by 2035.
2. Outcome 3 of the Strategy, 'Resilient', is that our critical minerals are sought after and support resilient supply chains, here and overseas. The objectives for the 'Resilient' outcome are:
 - a. Support strategically important critical mineral developments, facilities, and capabilities.
 - b. Build international partnerships on critical minerals with economic partners.
3. This briefing advises you on our proposed approach to leveraging international partnerships to support resilient global supply chains for critical minerals, and to help achieve the Strategy's goal of doubling minerals exports.

The international market for critical minerals continues to grow despite challenges

4. In February 2024, we briefed the Minister for Resources on the state of global critical minerals production, current challenges, the way economies are looking to diversify their minerals supply chains, and how New Zealand fits into this [BR 2324-1991 refers].^{s6(a)}
5. There have been a few notable developments since:
 - a. According to the International Energy Agency (IEA), in 2024, demand for lithium increased by 30 per cent, and for nickel, cobalt, graphite and Rare Earth Elements, by six to eight per cent. But prices for critical minerals used in key energy technologies continued to decline. Investment momentum has also weakened, and exploration activity has plateaued.
 - b. In December 2024, NATO released a list of 12 defence-critical raw materials, six of which New Zealand currently produces or has potential to produce. Demand for such defence-critical minerals is likely to grow after NATO members pledged in June 2025 to raise defence spending to five per cent of GDP by 2035.
 - c. Monopoly producers continue to leverage their position in the market.^{s6(a)}
 - d. Governments are intensifying efforts to diversify critical minerals supplies. In early 2025, the EU announced 47 'Strategic Projects' (within the EU and globally) under the EU Critical Raw Materials Act to fast-track development and access to financing. The new US administration also announced a series of Executive Orders to expedite permitting and increase investments in domestic mining and processing projects.

New Zealand can capitalise on growing demand for stable, diverse and responsible critical minerals supplies

We have untapped potential to extract and produce a range of in-demand critical minerals in a responsible way

6. Nine of the 37 critical minerals on our CML are currently produced in New Zealand for export. Of these, eight feature on at least one other major list internationally, either the US, UK, EU, Australia, Canada, Japan or Korea.¹ We have potential to produce another 11 minerals that also appear on major international lists. Some are currently the subject of exploration and mining permits and others are seeking relevant environmental consents through the Fast-track Approvals Act 2024. **Annex One** has a map of where these 19 critical minerals are produced or where we have potential to produce them in New Zealand.
7. Internationally, there are concerns about the impacts of mining projects including human rights violations, labour exploitation, bribery and corruption, and environmental impacts. This is frequently a topic of discussion in international policy exchanges on critical minerals and it is increasingly a focus for investors. Projects seeking investment as a 'Strategic Project' under the EU's Critical Raw Materials Act, for example, must demonstrate environmental, social and governance (ESG) compliance, which includes the necessary legal obligations of the country the project is hosted in, and meaningful consultation with impacted indigenous groups.
8. As a current and potential producer of key critical minerals, New Zealand's point of difference is our high ESG standards. We have a stable economy and transparent decision-making that enforces evidence-based environmental requirements and community involvement.

In addition to primary extraction, we also have growing technology expertise to sustainably produce, recover and recycle critical minerals

9. Globally, countries that import critical minerals are looking to diversify *where* a mineral is produced and also *how* it is produced. Countries are adopting policy measures on sustainably producing and/or recycling critical minerals as part of their critical minerals supply chain strategies. The EU's Critical Raw Materials Act, for example, sets a 25 per cent target for how much of the EU's strategic minerals needs must be met through recycling by 2030. Of the EU's initial 47 'Strategic Projects' selected for financing under the Act, 10 focus on recycling capabilities. Korea also aims to achieve a 20 per cent recycling rate for its strategic critical minerals supply by 2030.
10. These policies present an opportunity for New Zealand to capitalise on our growing technology expertise in circular economy methods to sustainably supply some critical minerals:

s9(2)(b)(ii)

¹ Gold does not appear on any of the major international CMLs.

s9(2)(b)(ii)

11. With many of these examples, our primary export is likely to be the intellectual property of the innovative technology or process, rather than the recovered or recycled mineral itself. This is because we do not always generate the volume of feedstock (eg, e-waste, industrial waste) needed to scale up and export minerals, and importing feedstock is not cost effective.

We recommend an ambitious and focused approach to international co-operation

12. Currently, New Zealand's engagement on critical minerals is limited and ad hoc. We participate in the Indo-Pacific Economic Framework for Prosperity (IPEF) Critical Minerals Dialogue, a forum for policy exchange.² New Zealand is also a member of the IEA's Critical Minerals Working Party, which is developing a voluntary critical minerals security programme that includes stockpiling as a response to international shortages.

Our recommended international engagement objectives are informed by the Minerals Strategy, with a focus on exports

13. We recommend an ambitious and focused approach with the following objectives:
- a. **Inward investment in our mining sector.** This would primarily take the form of investment in prospecting, exploration and extraction, but also in processing and refining capabilities to help us move up the export value chain.
 - b. **Research and development investment in and co-operation** on processing/refining and recycling capabilities.
 - c. **Policy exchange on efforts to diversify and secure global supply chains** of critical minerals in a sustainable and responsible way. This would focus not just on diversifying where minerals are extracted, but also diversifying where they are processed/refined. Current topics include regulatory reform, industrial policies, supply chain ESG transparency, and emergency responses to global supply shocks.
14. Countries and regions with large technology manufacturing bases, especially in the key renewable energy technologies, are the biggest consumers of critical minerals. s6(a)
15. To maximise impact, we therefore recommend that our international engagement prioritises two categories of countries/regions:
- a. **Category 1: Critical minerals consumers** – s6(a)
 - b. **Category 2: Critical minerals producers** – s6(a)

We recommend maintaining engagement in norm-building forums on an ad hoc basis

² IPEF members are Australia, Brunei, Fiji, India, Indonesia, Japan, South Korea, Malaysia, the Philippines, Singapore, Thailand, US and Vietnam.

16. There is a growing list of international policy forums on critical minerals. The IEA Critical Minerals Working Party is one that New Zealand participates in. Others that New Zealand is not currently involved in are the OECD Energy Research Governance Initiative and the Critical Minerals Strategic Advisory Group in the International Organisation for Standardisation.
17. We recommend participation on an ad hoc basis and where New Zealand's voice is necessary to achieve our objectives of a diversified, transparent and resilient supply chain for critical minerals.

We can meet our recommended objectives through bilateral partnerships and/or plurilateral forums

We recommend joining the Minerals Security Partnership (MSP) as a first step

18. During the final months of the Biden administration, US officials invited New Zealand to join the MSP. s6(a), s6(b)(i) have also recommended joining.
19. The MSP was launched in 2022 by the US to leverage partners' development finance institutions and export credit agencies to make critical minerals projects more likely to succeed. It considers projects along the full production chain, including mining, secondary recovery, processing, refining and recycling. The MSP is currently chaired by Korea and has three workstreams:
 - a. MSP Principals, the major critical minerals consuming countries.³ The focus is on critical minerals policies, led by the EU, and critical minerals projects, led by the US.
 - b. MSP Forum, which brings together minerals-producing and consuming countries.⁴ The objectives of the MSP Forum are to advance projects with and in Forum member countries.
 - c. MSP Finance Network, a collection of export credit agencies and public finance institutions focused on finding financing solutions for individual projects.
20. The MSP includes all s6(a), and membership would allow us to efficiently meet our investment and policy exchange objectives. Engagement in the MSP Principals workstream implies government capacity to finance projects domestically and internationally. As that is not New Zealand's objective, we anticipate our engagement will be limited to the MSP Forum.
21. To be a member of the MSP, countries must support a set of guiding Principles for Responsible Critical Minerals Supply Chains, which focuses on high ESG credentials. We do not anticipate these requiring amendments to our regulatory settings.
22. To maximise the benefits of the MSP, New Zealand will need to actively identify and promote critical minerals projects for investment in the Forum. Projects receiving MSP support must demonstrate the following principles:
 - a. Responsible stewardship of the natural environment.
 - b. Access to and acquisition of land through consultative and participatory processes.

³ Current members of the MSP are Australia, Canada, Estonia, Finland, France, Germany, India, Italy, Japan, Norway, South Korea, Sweden, the UK, the US and EU.

⁴ Current members of the MSP Forum are the 15 MSP members plus Argentina, Democratic Republic of the Congo, Dominican Republic, Ecuador, Greenland, Kazakhstan, Mexico, Namibia, Peru, Philippines, Serbia, Türkiye, Ukraine, Uzbekistan, and Zambia.

- c. Meaningful engagement and transparent communication with communities, including indigenous communities.
- d. Safe, fair, inclusive and ethical conditions in the workplace.
- e. Economic benefit to local communities through employment and local sourcing.
- f. Transparent and ethical business operations.

We could formalise bilateral co-operation if it offers opportunities beyond the MSP

23. Since our Minerals Strategy and Critical Minerals List was launched, s6(a) have expressed interest in collaboration. Many of these countries have entered into bilateral agreements with other minerals producing countries. Generally, these bilateral agreements feature support for investments, business-to-business links, co-operation on research and innovation in extraction to refining and recycling, and advancing ESG standards.
24. Negotiating and maintaining bilateral co-operation on critical minerals is resource heavy. In s6(a), s6(b)(i)
25. However, bilateral co-operation may unlock other benefits for New Zealand, such as a strategic deliverable in an existing bilateral relationship. We recommend evaluating the benefits of formalising bilateral co-operation on a case-by-case basis.

Engagement will support other Government initiatives focused on securing imports of key goods, including minerals

26. Pillar II of the IPEF is the Supply Chain Agreement, which aims to enhance resilience, transparency, and co-operation in critical supply chains. New Zealand has notified a list of critical sectors and key goods to other IPEF parties, which includes certain minerals. These are minerals (in raw or minimally processed form) that are important to New Zealand's economy and whose supply is at greatest risk of disruption because production is concentrated in one or two countries or because New Zealand imports the mineral from a limited number of countries. Three of these minerals – copper, magnesium and phosphate – appear on our Critical Minerals List.
27. MBIE's Trade and Supply Chains team lead international engagements relating to supply chain resilience for IPEF key goods that are not produced in New Zealand. While our critical minerals international engagement objectives are not directly focused on diversifying imports, they will indirectly support resilience by building more diverse supplies, domestically and globally.

Risks and mitigations

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

s 6(a)

s6(a)

Next steps

There is an opportunity to announce our MSP membership in late October when the Prime Minister visits South Korea

30. If you agree to New Zealand seeking membership in the MSP, officials will contact South Korea, the current MSP Chair to initiate the process. As the MSP is not a treaty or binding agreement, Cabinet approval is not required. However, you may wish to provide your Cabinet colleagues with an oral update.
31. Once membership is confirmed, we will work with your office on the announcement, which will need to be co-ordinated with the MSP Chair. Together with President Lee of South Korea, the Prime Minister is scheduled to announce a Comprehensive Strategic Partnership (CSP) when he visits for APEC Leaders' Week in late October. s6(a), s6(b)(i)

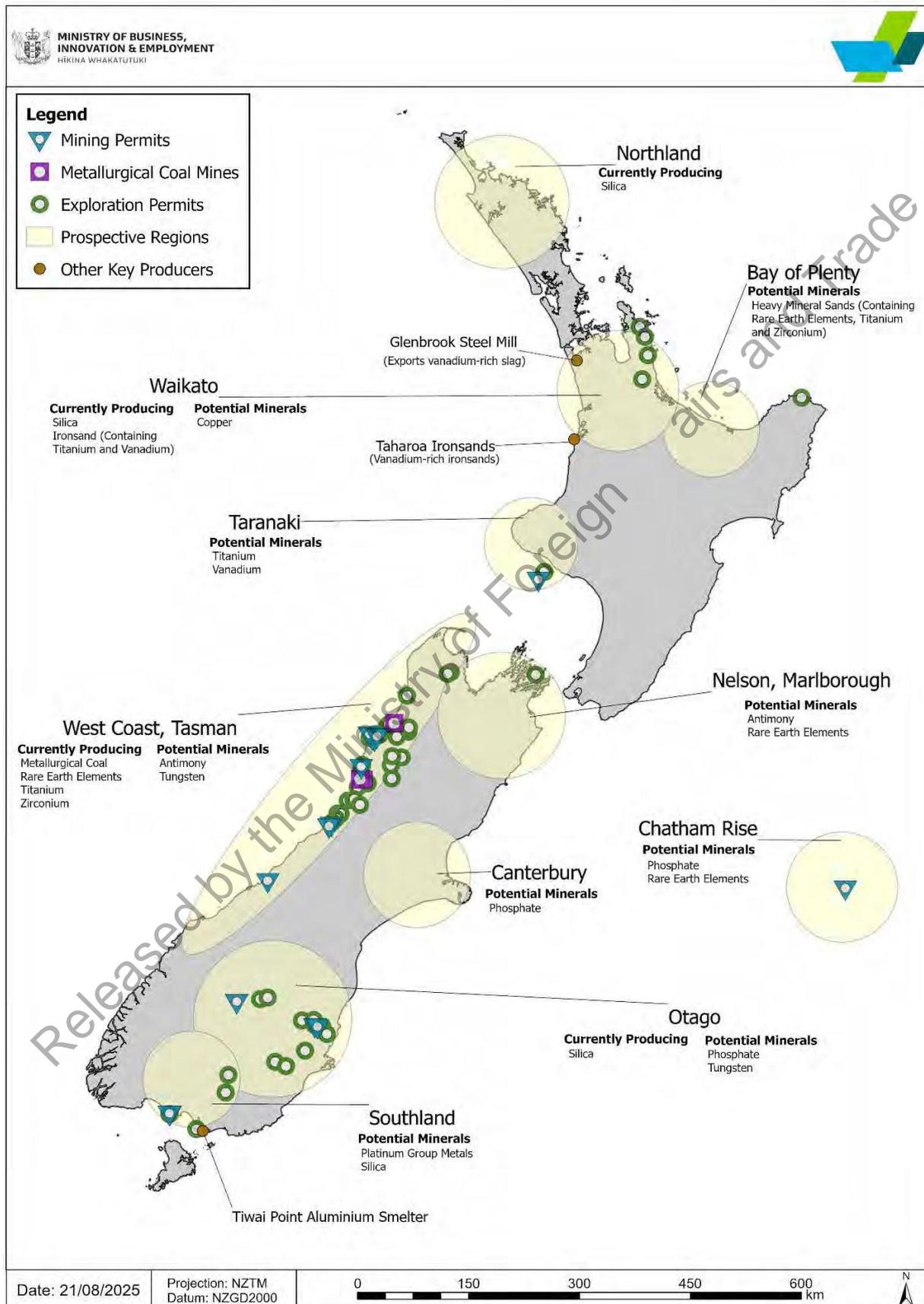
We will provide you with advice on our implementation plan for critical minerals

32. The Minerals Strategy set out a delivery roadmap for each objective. International engagement to support supply chain resilience and collaboration on joint initiatives for international trade are actions for the 'Resilient' objective. The other actions are:
 - a. Explore preferential pathways for critical minerals development in New Zealand.
 - b. Investigate wider system settings to enable critical minerals development and supply.
33. There are a range of pathways and settings to consider – from resource management reforms to investment settings and priorities in our science and innovation ecosystem. We will provide you with advice on how different pathways and settings could be used to support strategically important domestic critical mineral developments, facilities and capabilities.

Annexes

Annex One: Map of critical minerals currently produced and with potential to be produced in New Zealand

Annex One: Map of critical minerals currently produced and with potential to be produced in New Zealand





BRIEFING

Managing bilateral interest in New Zealand's critical minerals sector

Date:	10 November 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0023431

Action sought		
	Action sought	Deadline
Rt Hon Winston Peters Minister of Foreign Affairs	Agree to the actions in this briefing	12 November 2025
Hon Shane Jones Minister for Resources	Agree to the actions in this briefing Forward this briefing to the Prime Minister, Minister for Economic Growth, Minister for Trade and Investment and Minister for Energy	12 November 2025

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Paul Stocks	Deputy Secretary, Building Resources and Markets, MBIE	s 9(2)(a)	✓ (MBIE)
Vangelis Vitalis	Deputy Secretary, Trade and Economic Group, Ministry of Foreign Affairs and Trade	s 9(2)(a)	✓ (MFAT)

The following departments/agencies have been consulted
n/a

- Minister's office to complete:
- | | | |
|--|---|------------------------------------|
| <input type="checkbox"/> Noted | <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Overtaken by Events | <input type="checkbox"/> Needs change | <input type="checkbox"/> Seen |
| | <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Managing bilateral interest in New Zealand's critical minerals sector

Date:	10 November 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0023431

Purpose

To seek your agreement to officials undertaking discussions with strategic partners on bilateral interests in New Zealand's critical minerals sector and geothermal energy.

Executive summary

There is growing interest from foreign partners in New Zealand's critical minerals sector. Recent interest has been raised in the context of the NZ-EU FTA and by visiting, high-ranking United States (US) officials. The US has very recently entered into bilateral arrangements on critical minerals with Australia, Japan, Malaysia and Thailand.

s 6(a)

The minerals that many countries consider critical are those necessary for renewable energy, digital, and defence technologies. New Zealand's mining projects for these critical minerals are currently at an early stage of development s 9(2)(b)(ii)

Maintaining bilateral relationships will be essential to establishing new markets or domestic production. Bilateral co-operation could also play a role in supporting New Zealand's goals under the Minerals Strategy.

New Zealand has expressed its interest in joining the Minerals Security Partnership (MSP). Subject to receiving no objections from MSP members, we expect that New Zealand's membership of the MSP will be confirmed on 19 November. Officials are attending an MSP meeting as observers on 18 November in the margins of the EU's Raw Materials Week in Brussels. During the trip, officials intend to also pursue bilateral discussions with interested countries and gather information of other countries' experience negotiating with the US.

s 6(a)

We also seek your direction on next steps for engagement on critical minerals with the US; and your agreement to officials exploring co-operation and investment in geothermal research and development, and interest in New Zealand's supercritical geothermal project with US officials.

s 6(a)

Australia already plays an important role in our mining sector and there may be interest from the UK in critical minerals for clean energy.

Recommended action

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

- a. **Note** there is growing interest from foreign partners to invest in New Zealand's critical minerals assets.

Noted

NZ-EU FTA

- b. **Note** that, in the context of the recent discussions at the NZ-EU FTA Trade Committee, the Minister for Trade and Investment agreed to further explore with the European Commissioner for Trade and Economic Security one or two s 9(2)(g)(i) projects s 6(a)

Noted

- c. s 6(a)

Agree / Disagree / Discuss

Engagement with the US on critical minerals

- d. **Note** that the US has very recently entered into bilateral arrangements at the leader-level on critical minerals with Australia, Japan, Malaysia and Thailand and two US officials have raised the subject of a bilateral arrangement with New Zealand.

Noted

- e. **Agree** for officials to explore the following matters, including with US officials, subject to the need for further engagement with New Zealand companies stated above:

- i. Indicate to the US New Zealand's interest in a potential critical minerals negotiation in the future, subject to points ii and iii below and pending further engagement with New Zealand companies.

Agree / Disagree / Discuss

- ii. Further our understanding of the recent critical minerals deals the US has made with other countries, the applicability of the US Government's financing mechanisms projects in New Zealand (including whether there are US companies already involved or interested in New Zealand projects), and what the US might seek in return.

Agree / Disagree / Discuss

- iii. Confirm the nature and scope of the US' interest in New Zealand's critical minerals sector i.e., research, innovation, exploration, extraction, processing and/or recycling.

Agree / Disagree / Discuss

- iv. s 6(a), s 9(2)(f)(iv)

s 9(2)(g)(i), s 6(a)

Agree / Disagree / Discuss

Engagement with the US on geothermal

- f. **Note** the US has also indicated interest in investment and cooperation on geothermal energy, to potential support the implementation of the geothermal strategy and supercritical geothermal project.

Noted

- g. **Agree** for officials to also explore co-operation and investment in geothermal research and development, and New Zealand's supercritical geothermal project with US officials.

Agree / Disagree / Discuss

Next steps on US

- h. **Note** that officials will report back to Ministers on the appropriate next steps, including seeking further Ministerial feedback on the possibility of exploring a deal with the US. This will include company consultation.

Noted

Other jurisdictions

- i. **Note** that officials will continue engagement with s 6(a)

Noted

Released by the Ministry of Foreign Affairs and Trade

j. **Note** that Australia is already valuable for New Zealand as the primary source of private sector investment in our critical minerals sector.

Noted

k. **Note** that both the United Kingdom (UK) s 6(a) present opportunities to collaborate on investment in research on value-addition for our critical minerals.

Noted

l. **Note** that the Minister for Energy is scheduled to sign a Clean Energy Partnership with the UK at COP30 in Brazil and it will include supporting investment and trade in critical minerals production, processing and recycling, including through novel technologies.

Noted

Vangelis Vitalis
Deputy Secretary, Trade and Economic Group
Ministry of Foreign Affairs and Trade
..... / /

Rt Hon Winston Peters
Minister of Foreign Affairs
..... / /

Paul Stocks
Deputy Secretary
Building, Resources and Markets, MBIE
..... / /

Hon Shane Jones
Minister for Resources
..... / /

Released by the Ministry of Foreign Affairs and Trade

Background

1. On 8 September 2025, we sought the Minister for Resources' agreement to our proposed approach to international, government-to-government engagement on critical minerals to support the goals of the Minerals Strategy [BRIEFING-REQ-0019339 refers].
2. The Minister for Resources agreed to the following objectives to guide our engagement:
 - a. Seek inward investment in the critical minerals production chain, including mining, secondary recovery, processing, refining and recycling.
 - b. Seek research and development investment in and co-operation on processing, refining and recycling capabilities.
 - c. Support international policies to diversify and secure global supply chains of critical minerals in a sustainable and responsible way.
3. The Minister also agreed for officials to prioritise engagement with key critical minerals consuming and producing countries: s 6(a)
We recommended this is done through plurilateral forums like the Minerals Security Partnership (MSP)¹, with bilateral agreements considered on a case-by-case basis for when it makes sense as a strategic deliverable in an existing relationship. You agreed for New Zealand to seek membership in the MSP.

The EU and US have expressed interest in funding New Zealand critical minerals projects

4. At their meeting in June 2025, President of the European Commission Ursula von der Leyen and Prime Minister Luxon agreed to encourage closer collaboration on innovative technologies to address secure and resilient supply chains for critical minerals.
5. On 25 October, the Trade Committee under the NZ-EU Free Trade Agreement met and the Minister for Trade and Investment and his EU counterpart agreed to find one or two New Zealand critical minerals projects s 6(a)
Under its Critical Raw Materials Act, the EU has approved 13 applications for critical minerals 'strategic projects' from non-EU countries. It currently has an open call for further applications (closing on 15 Jan), s 6(a)
6. The EU acts as a catalyst and co-financier, not the sole funder. The EU provides support through instruments like InvestEU, the European Investment Bank (EIB), and partnerships such as the European Bank for Reconstruction and Development (EBRD), which co-finances early-stage projects. Host country governments and private investors contribute heavily, often backed by long-term supply agreements with EU manufacturers, for instance. The EU has also signed Critical Raw Material MoUs, such as with Australia. s 6(a)
7. In late October, officials met with Deputy Assistant Secretaries from the US National Oceanic and Atmospheric Administration (NOAA) and US Department of Commerce² in Auckland, while they were enroute from the Cook Islands. s 6(a), s 6(b)(i)

¹ The MSP brings together like-minded countries to identify and fund projects along the full critical minerals production chain, including mining, secondary recovery, processing, refining and recycling. It is currently chaired by South Korea and its members are Australia, Canada, Estonia, Finland, France, Germany, India, Italy, Japan, Norway, South Korea, Sweden, the UK, the US and EU.

² Note that the US Department of Commerce is not the leading agency for critical minerals deals. Recent critical minerals deals have been conducted though the White House.

s 6(a), s 6(b)(i)

8. Currently, the main market for unprocessed critical minerals is China. Some of New Zealand's critical minerals extracts are processed in China, and we are reliant on China-based production of critical mineral derived products. s 6(a)
9. This briefing evaluates bilateral opportunities against New Zealand's national interests and seeks agreement to how and what we prioritise.

New Zealand's Minerals Strategic Partnership (MSP) membership will be confirmed on 19 November

10. Subject to receiving no objections from MSP members, Korea, the chair, has indicated that our membership would be confirmed on 19 November. You are jointly announcing our MSP membership. The announcement will need to be co-ordinated with Korea. MBIE and MFAT are working with your offices on this.
11. Officials are attending an MSP meeting as observers on 18 November in the margins of the EU's Raw Materials Week in Brussels. The meeting will be an opportunity to understand the dynamics of the MSP Principals' group and the US' ongoing engagement in it.
s 6(a), s 9(2)(g)(i)

The meeting also includes a deep dive on MSP Projects, which receive support from different members. This will be an opportunity to determine whether and what New Zealand critical minerals projects could be included.

12. During the trip, officials intend to also pursue bilateral discussions with interested countries and gather information of other countries' experience negotiating with the US. In addition, officials can explore partners' analysis of their US agreements and engage with other possible investors and mineral offtake purchasers.

Bilateral opportunities should focus on long-term value

Bilateral co-operation on critical minerals has multiplied since 2020 in tandem with increasing export controls

13. Recently, the US has signed critical minerals deals with Australia, Japan, Malaysia and Thailand. This builds on previous agreements with those and other countries. s 6(a)
14. There are significant investment commitments from both Australia and the US under the Australia deal, and no stated reciprocal funding under the others. Where US funding is involved, it typically comes through the Export-Import Bank or the Department of War's Office of Strategic Capital. s 9(2)(g)(i)

This series of deals builds on a range of others since 2020. s 9(2)(g)(i), s 6(a)

15. s 6(a)

China's 2020 Export Control Law provided the groundwork for a series of measures it has implemented to establish an export control

regime for processed critical minerals, including the legal authority to restrict exports of sensitive materials on national security grounds. Export controls focus on specific minerals (eg. rare earth elements), processing technologies, and intermediate products (eg. permanent magnets). Restrictions have been placed on the supply of materials when the end-product is deemed to be dual use and could be used in military applications.

16. The most recent measure, in October 2025, extended licensing controls over foreign-made products using critical minerals or processing technologies sourced from China. While these restrictions have since been suspended for one year,³ s 6(a), s 9(2)(g)(i)

17. s 6(a)

As a key producer in the global supply chain, Australia is active in both multilateral⁴ and bilateral arrangements. It has relationship agreements on critical minerals with Canada, the EU, France, Germany, India, Japan, Korea, the US and the UK. Government-to-government agreements can build investor confidence and help private sector partnerships develop.

18. s 6(a)

19. Bilateral co-operation could also play a role in supporting New Zealand's objectives for critical minerals international engagement set out above.

New Zealand needs investment in early-stage prospecting and exploration, and scaling up our innovative minerals technology firms

20. The minerals that many countries consider critical are those necessary for renewable energy, digital, and defence technologies. New Zealand's mining projects for these critical minerals are currently at an early stage of development s 9(2)(b)(ii)

³ <https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-president-donald-j-trump-strikes-deal-on-economic-and-trade-relations-with-china/>

⁴ This includes the Quad, MSP, Conference on Critical Materials and Minerals and Critical Minerals Mapping Initiative.

21. However, we do have under-explored potential for critical minerals along the West Coasts of the North and South Islands. This potential needs long-term investment in prospecting and exploration in order to be realised.

22. Investment in early-stage prospecting and exploration has not been a priority for the EU and US. The EU's funding for strategic projects under its Critical Raw Materials Act requires extraction projects to be sufficiently advanced with resource and reserve estimations in order to be considered. s 9(2)(b)(ii)

The nature and scope of the US interest is less clear and needs to be confirmed. From recent US deals it appears they are primarily interested in ready extraction and processing projects. s 6(a), 6(b)(i), 9(2)(b)(ii)

23. There is likely to be broader interest among partners in investing in our innovative minerals technology firms. These firms focus on alternative recovery methods, minerals substitutes, and processing and recycling technologies. Some are on the threshold of piloting technology at scale. s 9(2)(b)(ii)

24. Officials have not spoken with these mining or minerals technology firms about their interest in direct or indirect (ie. through EU or US private sector companies) government investment. We will need to have these conversations before progressing any detailed conversations and firm agreements with countries.

The EU relationship has opportunities s 6(a)

25. The EU has welcomed closer co-operation on critical minerals with New Zealand at the highest levels. s 6(a)

'strategic projects' which to date have seen investment announced in 13 projects based outside of the EU's borders. The EU lists REEs as a critical raw material and two of New Zealand's three post-exploratory projects are for REEs. Innovative extraction and recycling would be in alignment with the Trade and Sustainable Development outcomes of the s 6(a)

26. New Zealand firms with sectoral expertise are exploring the EU market. Such expertise could be further leveraged to develop the New Zealand critical minerals sector s 9(2)(g)(i)

⁵ s 9(2)(b)(ii)

Combined with our long-standing science and research co-operation - including as an associate member of Horizon Europe - the EU is a natural preferred partner on critical minerals. Pursuing bilateral co-operation could be of longer-term, strategic value across the entire minerals value chain - research, innovation, exploration, mining, processing and recycling.

We recommend co-operation with the US s 9(2)(f)(iv)

28. International investment in New Zealand's geothermal energy sector presents an opportunity to advance the goals of the geothermal strategy, particularly by strengthening energy resilience and supporting regional economic development. s 9(2)(g)(i)

Investment in our geothermal research and development capabilities and supporting closer ties with New Zealand geothermal experts could also help to develop next-generation technologies, share expertise, and create exportable intellectual property, reinforcing New Zealand's role as a global leader in sustainable geothermal development.

We seek your direction on next steps for engagement on critical minerals with the US

29. The meeting with Commerce and NOAA officials in October is the first (and so far only) interest the current US Administration has signalled in New Zealand. Officials need to analyse recent US deals and further gauge the extent of US interest.
30. For New Zealand, pursuing a bilateral critical minerals agreement with the US would come with the following risks that would need to be managed:
- a. Further work is required to identify and calibrate US interest in working with New Zealand on projects, including the role(s) of different US agencies.
 - b. s 9(2)(b)(ii)
 - c. Projects will need to align with the US' specific financing channels i.e., projects in New Zealand will need to have existing US investors that the US EXIM Bank can support, or the minerals would need to be of value s 6(a)
 - d. s 6(a), s 9(2)(j)
 - e. s 6(a), s 9(2)(j)
 - f. The focus internationally has shifted from critical minerals needed in the energy transition to those needed for defence technology supply chains. Our Minerals Strategy and Critical Minerals List justify increased mining as being necessary for the energy transition. s 6(a)

31. Noting these risks, we seek clarity on what response officials should give if a direct request about interest in a bilateral deal is made by US officials during their pending overseas trip.
32. We propose that if they are asked by US officials, travelling officials will indicate to the US New Zealand's interest in a potential critical minerals negotiation in the future.
33. This indication would be given subject to the need to:
 - a. Further our understanding of the recent critical minerals deals the US has made with other countries, the applicability of the US Government's financing mechanisms projects in New Zealand (including whether there are US companies already involved or interested in NZ projects), and what the US might seek in return.
 - b. Confirm the nature and scope of the US' interest in New Zealand's critical minerals sector i.e., research, innovation, exploration, extraction, processing and/or recycling.
 - c. Engage with New Zealand private sector companies.
34. s 9(2)(j)

We recommend continuing engagement with s 6(a) investment opportunities in early-stage exploration with a focus on

35. s 6(a)

Australia is already an important partner for New Zealand s 6(a)

36. Australian entities are the main existing foreign investors in New Zealand's existing critical minerals sector. They bring with them world-leading sector knowledge and expertise, in addition to capital. s 6(a), s 9(2)(g)(i)
37. At the Government-level, Australia treats development of its critical minerals sector as a strategic imperative. It regards the sector as central to Australia's national economic, trade and security interests. It has well-developed lines of bilateral co-operation with a range of partners, notably the US but also Korea and Japan. s 6(a)
38. s 6(a)

New Zealand also wants to move up the critical minerals value chain and there are synergies with the UK and Australia

39. China has built dominance across the entire critical minerals value chain and exercises particularly tight controls over the later, high-value additions. For REEs, China accounts for approximately 60 per cent of global extraction, 87 per cent of processing, 91 per cent of metal production, and a striking 94 per cent of permanent magnet manufacturing.

40. A global focus on simply diversifying points of extraction will fail to make the supply chain resilient without also diversifying processing hubs and production of intermediate goods. This is a long-term challenge given the harmful environmental impacts that processing can bring. There is a potential niche here that New Zealand could capitalise on - innovations in low-impact refining and processing - and the UK and Australia may be ideal collaborators for this.
41. Both Australia's and the UK's critical minerals strategies emphasise growing domestic capability in processing, including through research and development. The Minister for Energy is expected to sign a non-binding Clean Energy Partnership with the UK in the margins of COP30 in Brazil. One of the areas of co-operation is critical minerals processing and novel technologies.
42. s 9(2)(g)(i)

Next steps

43. Officials will report back from the MSP Principals meeting in November and brief you on next steps. This may include seeking a mandate to develop deal with the US, subject to broader strategic considerations, engagement with businesses, and further background work.

Annexes

Annex 1: Map of New Zealand's critical minerals projects

s 9(2)(b)(ii)

Released by the Ministry of Foreign
Affairs and Trade



BRIEFING

Initial steps for a critical minerals framework with the US

Date:	1 December 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0024670

Action sought		
	Action sought	Deadline
Hon Shane Jones Minister for Resources	<p>Note the contents of this briefing.</p> <p>Note there will be an item on critical minerals at the Going for Growth meeting on 3 December and this briefing provides a suggested agenda and talking points.</p> <p>Forward this briefing to the Prime Minister, Minister of Foreign Affairs, Minister for Economic Growth, Minister for Trade and Investment and Minister for Energy.</p>	3 December 2025

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Lena MacCarthy	Manager, Resource Policy	s9(2)(a)	✓
Callum Thorpe	Principal Policy Advisor		

The following departments/agencies have been consulted
Ministry of Foreign Affairs and Trade

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Initial steps for a critical minerals framework with the US

Date:	1 December 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0024670

Purpose

To provide background on recent engagements on critical minerals and the considerations and next steps regarding United States (US) interest in a critical minerals framework agreement

Executive summary

Critical minerals have gained increasing strategic geopolitical importance moving from an area of commercial investment to a key sovereign security consideration. s6(a)

We've recently joined the Minerals Security Partnership (MSP), where similar interest from other international partners, s6(a), was conveyed to us.

New Zealand is on the United States' list of countries for a critical minerals deal and following recent official level meetings with the US, we understand that a draft agreement will be provided to us imminently. The recent Ministerial mandate [BRIEFING-REQ-0023431 refers] will allow us to frame discussions on the draft text.

While there are opportunities from a bilateral deal with the US, there are also potential risks to manage. s6(a), s9(2)(g)(i)

We are working with agencies to provide ministers with advice on impacts and risks to secure the best value for New Zealand, along with a timeline for taking a recommendation to Cabinet. We will advise on the best approach for consultation with the appropriate iwi and hapū, as per our Treaty commitments, including settlements.

Critical minerals has been added to the agenda for the 3 December Going for Growth ministerial meeting. We understand there is strong interest from ministerial colleagues, however the Minister of Foreign Affairs will not be present due to travel. s9(2)(g)(i)

Recommended action

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

- a **Note** that since the launch of the Minerals Strategy and Critical Minerals List in January 2025, there has been interest from the US and other international partners in cooperating with New Zealand on critical minerals supply and diversification of supply chains.

Noted

b **Note** that we expect to receive a draft agreement from the US imminently, and this is likely to be based on agreements they have recently signed with Australia, Japan, Malaysia and Thailand.

Noted

c **Note** there will be implications of the agreement that will need to be considered by Cabinet to determine its value to New Zealand.

Noted

d s6(a), s9(2)(j)

Noted

e **Note** once officials have the draft text, they will brief relevant ministers of the potential implications and recommend next steps including potential consultation with iwi to meet settlement obligations.

Noted

f **Note** there will be an item on critical minerals at the Going for Growth meeting on 3 December and this briefing provides a suggested agenda s9(2)(g)(i) for this item.

Noted

g **Forward** this briefing to the Prime Minister, Minister of Foreign Affairs, Minister for Economic Growth, Minister of Foreign Affairs, the Minister for Trade and Investment and the Minister for Energy.

Yes / No



Lena MacCarthy
Manager, Resource Policy
Building, Resources and Markets, MBIE

Hon Shane Jones
Minister for Resources

01 / 12 / 2025

..... / /

Background

1. On 31 January 2024, you launched New Zealand's Minerals Strategy to 2040 (the Strategy) and our first Critical Minerals List (CML). The goal of the Strategy is to double the value of New Zealand's mineral exports to \$3 billion by 2035.
2. You previously agreed to an approach to international, government-to-government engagement on critical minerals to support the goals of the Minerals Strategy [BRIEFING-REQ-0019339 refers]. As part of that approach, you agreed for New Zealand to seek membership in the Minerals Security Partnership (MSP), a plurilateral forum covering the countries we have an interest in partnering with on critical minerals. We became a member on 19 November 2025.
3. Additionally, you and the Minister of Foreign Affairs agreed that officials undertake discussions with strategic partners on critical minerals [BRIEFING-REQ-0023431 refers]. From 17 – 19 November 2025, officials had a series of meetings around the MSP meeting in Brussels, as part of the European Union's (EU) Raw Materials Week.

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

4. At their meeting in June 2025, President of the European Commission, Ursula von der Leyen and Prime Minister Luxon agreed to encourage closer collaboration on innovative technologies to address secure and resilient supply chains for critical minerals.
5. On 25 October 2025, the Trade Committee under the NZ-EU Free Trade Agreement met and the Minister for Trade and Investment and his EU counterpart agreed to find one or two New Zealand critical minerals projects s9(2)(g)(i). Currently the EU has open call for further applications (closing on 15 Jan), s6(a).
6. On 17 October 2025, officials met with Deputy Assistant Secretaries from the United States' (US) National Oceanic and Atmospheric Administration and US Department of Commerce (Commerce)¹ in Auckland, while they were enroute from the Cook Islands. s6(a), s6(b)(i)

The US has now indicated it would like a critical minerals deal

Discussions with US at the Minerals Security Partnership meeting highlighted their interest in New Zealand

7. Alongside the other MSP participants, s6(a), s6(b)(i), s9(2)(g)(i)
8. Officials had a separate meeting with the US delegation, in the margins of the MSP meeting, which included the US Ambassador to the EU, as well as officials from the State Department and the Department of Energy.

¹ s6(a)

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

Recent meetings in Washington provided more detail on a potential US deal

10. On 21 November, NZ officials in Washington met with representatives from the US National Security Council (NSC) and Commerce to discuss critical minerals and express New Zealand's interest in an arrangement with the US. s6(b)(i)
11. Both meetings were positive with US officials agreeing to share a draft framework with New Zealand. We understand the draft is now with the US Embassy in New Zealand for review and will be shared with us in the next day or two.
12. As previously briefed, the US has recently entered similar deals with Australia, Malaysia, Thailand and Japan. s9(2)(j), s6(a)
13. The US has indicated the framework would be the starting point and there would be scope to discuss and adapt the provisions. s6(a), s6(b)(i)

Key workstreams are underway to prepare negotiations with the US

Understanding how the draft framework text relates to New Zealand's commercial and strategic interests

14. We will continue to use the recent ministerial mandate [BRIEFING-REQ-0023431 refers] to frame discussions and inquiries on the draft text.
15. We anticipate there will be considerable work required to understand how the proposed framework relates to our commercial and strategic interests. s6(a), s9(2)(j), s6(b)(i)
16. Once we have the draft text, we will provide relevant ministers with a briefing with initial analysis and the specific opportunities and risks for further consideration along with a timeline for taking a recommendation to Cabinet.

Preparing for engagement with iwi

17. Ministers will need to determine the best approach for consultation with the appropriate iwi and hapū. It will be vital to ensure iwi views are heard and incorporated into any agreement.
18. Iwi and hapū have specific interests in minerals development, either directly as participants or indirectly with a view to regional employment and development. Iwi and hapū have an important role as investors in regional economic prosperity.
19. Iwi and hapū also have broader perspectives relating to resource development. Activities associated with mineral production may have impacts on other kinds of rights and interests with some iwi and hapū having (or are negotiating) Crown Minerals Protocols in their Treaty Settlements.
20. You (as the Minister for Resources) and MBIE have specific consultation obligations relating to the administration of Crown-owned minerals. Determining the extent of these obligations will be a crucial part of the early work in progressing any agreement with the US.

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

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

Ministers will need to consider the level of signatory for an agreement

23. Previous US agreements have been signed off at leader level.
24. s6(a), s6(b)(i), s9(2)(j)

25. Officials will work with counterparts to understand the procedural steps involved, as part of the negotiations.

Ministers will have an opportunity to discuss this at the Going for Growth ministerial meeting on Wednesday, 4 December

26. Critical minerals has been added to the agenda for the 3 December Going for Growth ministerial meeting. We understand there is strong interest from ministerial colleagues in the topic and anticipate there will also be interest in the draft US agreement and how that can be turned into a signed deal. s9(2)(g)(i)
27. The Minister of Foreign Affairs will not be present due to travel.
28. We propose the following broad agenda:
 - a. Geopolitical context – both the EU and the US wanting to invest in critical minerals for security and growth.

- b. Potential for growth in New Zealand – we have companies that could scale with access to international capital – we will need to make sure we do it in a way that benefits New Zealand not just our partners.
- c. Risks – s6(a), s9(2)(g)(i), s9(2)(j)

There are a range of opportunities and risks involved

29. A deal with the US will have both direct implications based on the wording of what is agreed, as well as implications for other relationships New Zealand has with trading partners.

Impact on other international obligations and relationships

30. We urge a measured approach to understanding and responding to the agreement so officials across agencies can better understand and advise on the implications of the text in the draft agreement. s6(a)

31. s9(2)(h)

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

- 33.

34. s6(a)

s6(a)

35. s6(a), s6(b)(i) . We will need to have a Cabinet decision prior to negotiations, and it would be extremely challenging to undertake the necessary Cabinet processes to start and conclude negotiation prior to Christmas.

36. A truncated or severely expedited Cabinet process runs the risk of not surfacing or fully considering the broader risks inherent in any deal, potentially leading to costly consequences for New Zealand.

37. We recommend setting the expectations that the summer period in New Zealand will not enable a truncated process. However, we would like to discuss whether you would like to seek a Cabinet mandate for negotiations before Christmas, and subject to any negotiating process, returning to Cabinet in early 2026.

Expectations of government equity

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

39. We will have a better understanding when we have had an opportunity to review the draft text and s6(a)

There may be concerns with social licence

40. International focus has shifted from the critical minerals needed for the energy transition to those needed for defence technology supply chains. Our Minerals Strategy and Critical Minerals List justify increased mining as being necessary for the energy transition. Following the MSP meeting, while clean and advanced technologies remain an important driver, wider economic security considerations, including defence are increasing in prominence. s6(a)

However, there are a range of funding partners from private sector to other US investors.

41. Concerns around social licence could potentially be mitigated if the investment focus was on innovative extraction and recycling/reuse technology, rather than expansion of traditional extraction. s9(2)(g)(i)

We need to be cautious about creating expectations that will be challenging or costly to meet

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

Investment channels will need to be well understood

44. To make best use of any potential financing opportunities, projects will need to align with specific financing channels. We understand that many of the existing finance channels have specific criteria that will need to be met to allow investment. For example, projects in New Zealand may need to have existing US investors that the US Export-Import Bank can support to access some funding, s6(a)

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

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

airs and Trade

Next steps

49. We will be at the Going for Growth meeting on 3 December, and available to discuss with you at your Resources Officials meeting on 4 December.

Released by the Ministry of Foreign

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

Released by the Ministry of Foreign
Affairs and Trade

Restricted

Office of the Minister for Foreign Affairs

Office of the Minister for Resources

Cabinet

A non-binding Framework on critical minerals between the United States and New Zealand

Proposal

- 1 This paper is to inform Cabinet that New Zealand will be represented at a ministerial meeting hosted by United States (US) Secretary of State Rubio in Washington DC on 4 February 2026. ^{s6(a), s9(2)(j)}

Relation to government priorities

- 2 An agreed Framework would support the Government's priorities to:
 - 2.1 strengthen New Zealand's economic security and resilience;
 - 2.2 grow regional economic development through responsible resource investment; and
 - 2.3 diversify New Zealand's international trade and investment partnerships, particularly in strategically important sectors such as critical minerals.
- 3 An agreed Framework 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

- 4 New Zealand received a proposed non-binding Framework on Critical Minerals from the US on 1 December 2025. The US has also invited the Minister of Foreign Affairs to a ministerial meeting on 4 February 2026, to be hosted by US Secretary of State Rubio in Washington DC.
- 5 Officials have negotiated amendments to the draft US Framework text, which is included in the **Appendix**. ^{s6(a), s6(b)(i), s9(2)(j)}
- 6 The wider opportunities and risks remain consistent with what has previously been advised to Ministers, including through the oral item presented to Cabinet by the Minister for Resources on 17 December 2025. We want to highlight:
 - 6.1 The Framework has been presented as non-binding and would signal areas of cooperation between New Zealand and the US. It could

encourage US investment in New Zealand's critical minerals sector and support the Cabinet-approved *Minerals Strategy for New Zealand to 2040*.

6.2 A Framework could facilitate:

6.2.1 direct US funding to accelerate existing critical mineral projects leading to increased economic activity and promoting New Zealand technology solutions;

6.2.2 additional investment to improve associated export infrastructure on New Zealand's West Coast, such as ports and road/rail transport; and

6.2.3 the US to assist in efforts to map our critical mineral resources.

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

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

6.5 s6(a), s6(b)(i), s9(2)(h), s9(2)(j)

6.6 Preliminary outreach to Māori groups has identified concerns around the truncated negotiation process, the substance of the Framework, and engagement with the US given recent geopolitical developments. This has now been formally raised with the Waitangi Tribunal in relation to the Wai 3325 Climate Change inquiry.

Background

- 7 The United States (US) has recently concluded critical mineral agreements with Australia, Japan, Malaysia and Thailand. We understand there are Frameworks being currently negotiated with around 40 other countries including the Cook Islands.
- 8 On 21 November, New Zealand officials in Washington met with representatives from the US National Security Council and Department of Commerce to discuss critical minerals and express New Zealand's interest in an arrangement with the US.
- 9 On 1 December 2025, the Ministry of Foreign Affairs and Trade (MFAT) received a proposed US-New Zealand Critical Minerals Framework.
- 10 On 12 December 2025, the US Department of State informed MFAT that US Secretary of State Rubio intends to host a "Global Critical Minerals Ministerial" on 4 February 2026. The Ministerial will include the signing and announcement of several critical mineral Frameworks the US is signing with other countries (it is unclear how many).
- 11 We understand the meeting will be attended by members of the Minerals Security Partnership (which includes New Zealand); G7; members of Pax Silica (the US initiative to improve the resilience of the computer chips supply chain, including silicon and other critical minerals)¹; and the other 40 or so strategic partners the US is negotiating, or has signed, bilateral arrangements with.
- 12 s6(a), s6(b)(i)

13

Analysis

Negotiation process with the US

- 14 Officials have negotiated amendments to the draft US Framework text including:

¹ Pax Silica is a US-led, post-2025 technology alliance focused on securing AI and semiconductor supply chains. Its members are the US, Japan, South Korea, Singapore, the UK, Australia, Israel, Greece, Qatar, Netherlands and the UAE. Key partners include Taiwan, Canada, India and the EU.

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

19

20 If in the future, there is a mechanism that the US insists is binding, we will bring that proposal back to Cabinet for decision.

Signing the Framework presents opportunities

Direct US investment

21 We understand the US is making available up to US\$200bn in new critical minerals supply chain investment. s6(a), s9(2)(b)(ii)

22 s6(a), s6(b)(i), s9(2)(b)(ii)

We need to understand how our current funding will integrate with US funding

23 The Regional Development Ministerial Group has recently agreed to ring fence \$80m of Regional Investment Fund for critical mineral projects. s9(2)(b)(ii)

Additional infrastructure

24 s6(a), s6(b)(i), s9(2)(b)(ii)

. With critical minerals currently clustered on the West Coast there may be an opportunity to materially improve important regional infrastructure that will expand export potential as well as improve the region as a whole. Recent discussions with companies have highlighted the desirability of a port expansion and transport upgrades to improve the resilience of the export transport chain as well as housing and medical infrastructure to support the additional workforce needed for new projects.

Funding to support a pipeline of technology start ups

25 Whether or not a Framework is signed, it will be worth investigating if the US would be open to collaborative funding on critical minerals technology research. There are several start-ups that have come out of university-led research that have promise for providing innovative recycling/reuse innovation. Such innovation not only serves to provide a clean alternative to traditional polluting production methods, the transferability of the technology also allows New Zealand to be a hub providing innovation for partners to improve their domestic critical minerals production.

26 s9(2)(f)(iv)

There are risks to signing the Framework

27 s9(2)(h)

28 **Committing to future Crown financing.** s9(2)(j)

There is currently \$80 million from the Regional Investment Fund ringfenced for critical mineral projects that can be provided as our Crown commitment. s6(a), s9(2)(j)

29 **Locking in commercial outcomes.** s9(2)(j)

s6(a), s9(2)(b)(ii)

30 **Impact on other international relationships, especially China.** s6(a)

s6(a)

31 s6(a)

32 s6(a), s9(2)(j)

counterparts to seek alignment as far as possible.

Officials will engage US

33 s6(a)

A Presidential Action of 14 January noted in regard to critical minerals Frameworks that “it may be appropriate to impose import restrictions, such as tariffs, if satisfactory agreements are not reached in a timely manner”.
s6(a)

34 s6(a)

35 s6(a)

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

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

Māori groups have raised concerns

38 MFAT has engaged with some Māori groups² as part of its standard practice to consult on the proposed Framework.

39 These groups have raised concerns in three areas:

- **Process:** the lack of domestic engagement with affected Māori rights holders on the Framework consistent with the Crown's Treaty of Waitangi obligations, and the inadequacy of a truncated timeline for a significant bilateral arrangement.
- **Substance:** the absence of language that provides protection of Māori responsibilities and rights; absence of protections for Māori land and resource rights; the absence of environmental safeguards; changes to permitting and deregulation; de facto obligations even when non-binding; and the absence of language that provides for Māori participation in the decision making and governance of the Framework.
- **Partnering with the US:** entering into any agreements with the United States Government^{s6(a)}

40 These groups have recommended formal Government opposition to adopting the Framework, a reset of the process, an explicit recognition of Treaty of Waitangi obligations, Māori rights and interests and resource protections, and consent-based approaches to development.

41 Ngā Toki Whakarururanga has written to the Minister for Trade and Investment and Minister for Resources directly in relation to these concerns, and has raised concerns through notification to the Waitangi Tribunal linking to the WAI 3325 inquiry on Climate Change. Officials have responded, noting that concerns in relation to the proposed Framework have been registered, and would be recorded in the usual manner for Ministers' awareness.

42 s9(2)(j)

The draft Framework largely aligns with the intent of the Minerals Strategy

43 The Framework covers policy matters that are captured within the *Minerals Strategy for New Zealand to 2040*, and wider existing government policy settings (such as the Overseas Investment Act).

44 MBIE has previously consulted directly with iwi/hapū/Māori on critical minerals issues through the development of the *Minerals Strategy for New Zealand to 2040* and Critical Minerals List, which were consulted on in 2024 and published in January 2025 following Cabinet approval. This process also included public consultation. These engagements have informed officials' views, including that

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

a Treaty of Waitangi clause should be included in any future binding agreements.

45 s9(2)(ba)(ii)

The Crown has specific Crown Minerals Treaty obligations and commitments as part of the Crown Minerals permitting processes set out in statute and regulations. These will be adhered to if a Framework is agreed.

Future action would require consultation

46 s 9(2)(f)(iv)

Should such actions be proposed, due diligence would be taken during those next steps to ensure all Treaty obligations and commitments are adhered to.

47 Officials consider it appropriate for further engagement to take place on actions that may arise as a result of the Framework, and that would pertain more tangibly to Māori interests. Should any new policy initiatives be indicated, we expect that that this would require consultation under Crown Treaty obligations and settlement commitments.

48 Officials have noted to the US that a Treaty of Waitangi clause is included in all binding agreements. The US is familiar with this provision from TPP and IPEF negotiations, where it agreed to our preferred language on the Treaty.

Cost-of-living Implications

49 There are no cost-of-living implications.

Financial Implications

50 As the Framework is non-binding there are no immediate fiscal implications. There could be fiscal implications of actions that follow on from the Framework, should they eventuate, including in setting any price framework or future Government investment in the critical minerals sector. To identify the potential fiscal and economic risks, it will be important to clarify the US' expectations around the instruments through which a price framework – in particular, price floors – would be implemented, and the scope of these in terms of which minerals would be subject to them.

Legislative Implications

51 There are no legislative implications as the Framework is non-binding.

Impact Analysis

Regulatory Impact Statement

52 As there are no regulatory changes being proposed a RIS is not required.

Climate Implications of Policy Assessment

53 The Framework provides a basis for future cooperation. It does not contain specific policy proposals with greenhouse gas emission implications requiring a Climate Implications of Policy Assessment.

Population Implications

54 There are no population implications.

Human Rights

55 **[Legally privileged]** s9(2)(h)

Use of external Resources

56 No external resources have been used in this work.

Consultation

57 The Treasury has been consulted. The Department of the Prime Minister and Cabinet has been informed.

Communications

58 s9(2)(f)(iv)

59 Agencies will continue to work with Ministers to anticipate and prepare for any emerging communication risks.

Proactive Release

60 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 New Zealand will be represented at a ministerial meeting hosted by United States Secretary of State Rubio in Washington DC on 4 February 2026 s9(2)(j)

- 2 **Note** that officials have negotiated amendments to the proposed Framework text and that, s9(2)(j)

- 3 **Note** that signing a Framework could create opportunities for New Zealand, including:
 - 3.1 supporting the objectives of the Cabinet approved *Minerals Strategy for New Zealand to 2040*;
 - 3.2 strengthening secure and resilient supply chains here and overseas, and contributing to New Zealand's economic security and prosperity;
 - 3.3 direct US funding to accelerate existing critical mineral project leading to increased economic activity and promoting New Zealand technology solutions;
 - 3.4 additional investment to improve associated export infrastructure on the West Coast such as ports and road/rail transport; and
 - 3.5 potential US assistance in efforts to map our critical mineral resources.

- 4 **Note** the following risks to signing the Framework:
 - 4.1 **[Legally privileged]** s6(a), s9(2)(h)

 - 4.2 s6(a)

 - 4.3 s9(2)(j), s9(2)(g)(i)

 - 4.4 preliminary outreach to Māori groups has identified concerns which have been notified to the Waitangi Tribunal Inquiry on Climate Change (WAI 3325).

Authorised for lodgement

Rt Hon Winston Peters

Minister for Foreign Affairs

Hon Shane Jones

Minister for Resources

Released by the Ministry of Foreign Affairs and Trade

Released by the Ministry of Foreign
airs and Trade

Released by the Ministry of Foreign
airs and Trade

Released by the Ministry of Foreign
airs and Trade

Aide Memoire: Going For Growth Trade and Investment
Ministerial Group (Wednesday 3 December 2025)

Summary/Context

Out of scope

Released by the Ministry of Foreign
Affairs and Trade

Released by the Ministry of Foreign
airs and Trade

Out of scope

Update on critical minerals

- Minister Jones will provide an update on critical minerals developments, including the potential for New Zealand to enter into arrangements with other countries.
- Note that we are at an early stage of developing our critical minerals sector. Officials still need to engage with the industry and conduct a proper analysis of existing arrangements made by other countries, s6(a)
- The summer period in New Zealand will not enable a truncated process. There will be trade-offs with any arrangement that could have implications for other relationships. A Cabinet decision will be necessary before any negotiation is considered.

Out of scope

Economic and Americas Divisions
Ministry of Foreign Affairs and Trade
1 December 2025



BRIEFING

Draft United States – New Zealand critical minerals text and next steps

Date:	16 December 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0025275

Action sought		
	Action sought	Deadline
Rt Hon Winston Peters Minister of Foreign Affairs	<p>Note the United States (US) have provided a draft non-binding Critical Minerals Framework.</p> <p>Note that US Secretary of State Marco Rubio intends to host a “Global Critical Minerals Ministerial” on 4 February 2026 and that you may receive an invitation to that event.</p> <p>Agree officials can inform the US that New Zealand is positively considering the draft Framework and wishes to conclude the text, subject to appropriate due diligence.</p> <p>Agree officials will negotiate with US counterparts on the draft Framework and provide you with advice and a joint Cabinet paper on the text to take to Cabinet on 27 January 2026, should it be required.</p> <p>Indicate Ministerial availability to provide direction on the negotiating mandate between now and the end of January.</p>	18 December 2025
Hon Shane Jones Minister for Resources	<p>Note the United States (US) have provided a draft non-binding Critical Minerals Framework.</p> <p>Note that US Secretary of State Marco Rubio intends to host a “Global Critical Minerals Ministerial” on 4 February 2026 and that you may receive an invitation to that event.</p> <p>Agree officials can inform the US that New Zealand is positively considering the Framework and</p>	18 December 2025

	<p>wishes to conclude the text, subject to appropriate due diligence.</p> <p>Agree officials will negotiate with US counterparts on the draft Framework and provide you with advice and a joint Cabinet paper on the text to take to Cabinet on 27 January 2026, should it be required.</p> <p>Indicate Ministerial availability to provide direction on the negotiating mandate between now and the end of January.</p> <p>Forward this briefing to the Prime Minister, Minister for Economic Growth, Minister for Trade and Investment and Minister for Energy.</p>	
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Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Grahame Morton	Deputy Secretary, Americas and Asia Group, Ministry of Foreign Affairs and Trade	s9(2)(a)	✓
Paul Stocks	Deputy Secretary, Building, Resources and Markets		

The following departments/agencies have been consulted
n/a

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments



BRIEFING

Draft United States – New Zealand critical minerals text and next steps

Date:	16 December 2025	Priority:	High
Security classification:	Restricted	Tracking number:	BRIEFING-REQ-0025275

Purpose

To seek your agreement to next steps on the draft non-binding Critical Minerals Framework provided by the United States (US) on 2 December.

Recommended action

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

- a **Note** that you have previously agreed to officials indicating to the United States (US) New Zealand's interest in a potential critical minerals negotiation.

Noted

- b **Note** that the US provided New Zealand with the text of a draft non-binding Critical Minerals Framework on 2 December 2025.

Noted

- c **Note** that US Secretary of State Marco Rubio intends to host a "Global Critical Minerals Ministerial" on 4 February 2026 and the Minister of Foreign Affairs may receive an invitation to that event, if you agree to the action in **Recommendation g**.

Noted

- d **Note** that the US State Department has asked whether New Zealand is inclined to conclude a Critical Minerals Framework with the US.

Noted

- e **Note** that, if you wish to enter into a Critical Minerals Framework with the US before the 4 February event, it will need to be finalised before the end of January.

Noted

- f s6(a)

Noted

Released by the Ministry of Foreign Affairs and Trade

- g **Agree** to officials indicating to the US, before Christmas, that:
- I. New Zealand welcomes the draft Critical Minerals Framework and is interested in negotiating a Framework Yes/No
 - II. pending those negotiations, we consider we could aim to conclude a Framework by the end of January Yes/No
 - III. the Minister of Foreign Affairs would be interested in taking part in the 4 February Ministerial. Yes/No/Other Attendee
- h **Note** that officials are developing advice on the final shape of any agreed text and will need Ministerial direction as the negotiations develop between now and the end of January. Noted
- i **Indicate** Ministerial availability to provide direction on the negotiating mandate between now and the end of January. Available/Not available/Other Minister
- j **Agree** that officials will negotiate with US counterparts on the draft Framework and provide you with advice and a joint Cabinet paper to take to Cabinet on 27 January 2026, should it be required. Agreed
- k **Note** that there is an option to take an oral item to the Cabinet Economic Policy Committee on 17 December 2025 to inform your colleagues of the draft Framework and sound out any potential areas of concern for the upcoming negotiations. Noted
- l **Agree** to the Minister for Resources taking an oral item to the Cabinet Economic Policy Committee on 17 December 2025. Agreed
- m **Forward** this briefing to the Prime Minister, Minister for Economic Growth, Minister for Trade and Investment and Minister for Energy. Yes / No



Grahame Morton
Deputy Secretary, Americas and Asia Group
 Ministry of Foreign Affairs and Trade
 16 / 12 / 2025

Rt Hon Winston Peters
Minister of Foreign Affairs
 / /



Paul Stocks
Deputy Secretary, Building, Resources and Markets
 MBIE
 16 / 12 / 2025

Hon Shane Jones
Minister for Resources
 / /

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Background

1. You have previously agreed to officials indicating, to the United States (US), New Zealand's interest in [BRIEFING-REQ-0023431 refers]:
 - a. a potential critical minerals negotiation, subject to:
 - i. further engagement with New Zealand companies
 - ii. furthering our understanding of the recent critical minerals deals the US has made with other countries, the applicability of the US Government's financing mechanisms projects in New Zealand (including whether there are US companies already involved or interested in New Zealand projects), and what the US might seek in return.
 - iii. confirming the nature and scope of the US's interest in New Zealand's critical minerals sector.
 - b. s 9(2)(f)(iv)
2. On 2 December 2025, the Ministry of Foreign Affairs and Trade (MFAT) received a draft of a US-New Zealand Critical Minerals Framework.
3. On 12 December 2025, the US Department of State informed MFAT that US Secretary of State Marco Rubio intends to host a "Global Critical Minerals Ministerial" on 4 February 2026. Invitations to the Ministerial will be sent in the "coming days" to countries with Critical Mineral Frameworks with the US. The invitation will be addressed to foreign ministers. This alone should not drive the negotiation timeline, however you have already indicated that you wish to negotiate an arrangement.
4. The Department of State informed MFAT that:
 - a. the US is working to conclude Frameworks with a number of countries ahead of the proposed Ministerial
 - b. if New Zealand is "inclined" to conclude a Framework the US would want to know soon
 - c. it would like to know whether concluding a deal prior to the Ministerial was not feasible for New Zealand.
5. We expect that the Minister of Foreign Affairs could still receive an invitation to the Ministerial if New Zealand indicates its inclination to conclude a Framework but we have not yet agreed to the final text.

There is a window to negotiate an arrangement before 4 February 2026, but time is tight

6. If you wish to enter into a Framework with the US before 4 February 2026, it will need to be finalised before the end of January.
7. To secure an invitation to Secretary Rubio's Ministerial meeting, it would be advisable to respond to the question about New Zealand's inclination on a Framework sooner than that, and preferably before Christmas.

There are risks to moving too rapidly ...

8. MFAT advises we have not yet had time to fully analyse the draft Framework or assess wider implications of concluding such a deal. Undertaking an overly swift or cursory analysis of entering into a Framework runs the risk of not understanding or fully considering the broader risks inherent in any deal, potentially leading to costly consequences for New Zealand. Indicating an inclination to enter an agreement before that analysis is completed risks creating an expectation that we are not subsequently able to deliver on.

.... and risks to moving too slowly

9. Absence from the 4 February Ministerial meeting will not preclude us entering a critical minerals deal with the US at a later date. However, there would be advantages to being present at the 4 February discussions in order to understand more about the longer-term intentions of other participants and to further engage with US and other participants on critical minerals.
10. We note that we have bilateral mechanisms in place for critical minerals cooperation with other partners. This includes the European Union, Japan and Korea through the umbrella mechanisms of our free trade agreements and existing science arrangements, with some established programmes of work progressing. We also understand that several of our critical minerals and technology companies are considering applying to the European Union's Strategic Projects under the Critical Raw Materials Act Fund by 15 January 2026.
11. While both the US and New Zealand are members of the Minerals Strategic Partnership, we do not presently have a bilateral mechanism for collaboration on critical minerals with the US; at a time when there is active US private sector investment interest in our extractive sector and US Government investment in our advanced technology companies working in critical minerals.

Recommendation

12. In order to keep our options open, we recommend that, before Christmas, officials reply to the US State Department, indicating that:
 - a. New Zealand welcomes the draft Framework and is interested in negotiating a Framework
 - b. pending those negotiations, we consider we could aim to conclude a Framework by the end of January
 - c. the Minister of Foreign Affairs is interested in taking part in the 4 February Ministerial.

Concluding a Framework may require Cabinet agreement

13. We are working to a timeframe to allow Cabinet agreement to any text. This will require:
 - a. officials to negotiate with the US through the rest of this year and early January
 - b. officials' final advice and a draft Cabinet paper to be provided in mid-January, ready for lodgement ahead of Cabinet consideration
 - c. Cabinet consideration on 27 January 2026.
14. Advancing on this timeframe means we will need Ministerial direction as we firm up our advice and negotiations develop between now and the end of January. As stated above, we have not yet fully analysed the draft Framework or provided advice on its content. We will need to do this in the coming weeks, and will need to confirm our mandate as discussions advance.

15. We seek your agreement to enter into negotiations with the US on the text, in order to attempt to meet these timeframes; and your indication of Ministerial availability between now and the end of January in order to provide Officials with this direction.

We recommend taking an oral item to ECO this week

16. We suggest that the Minister for Resources takes an oral item to the Cabinet Economic Policy Committee on 17 December 2025 to inform Cabinet of the draft Framework and sound out any potential areas of concern for the upcoming negotiations. MBIE will provide talking points for that item soon after the delivery of this briefing.

The draft Framework is comparable to other recent US agreements

17. The draft Framework proposed by the US:
 - a. states a goal of supplying of raw and processed critical minerals needed by the commercial and defence industries of both countries.
 - b. states that it seeks to achieve this through economic policy and investment targeted at current critical minerals operations as well as new developments.
 - c. refers to:
s9(2)(j)
 - d. contains provision setting out the administrative mechanisms for the Framework including:
 - i. discontinuation by either party with written notice
 - ii. its non-binding nature as a policy and action plan that does not create rights or obligations under domestic or international law.

The draft Framework is broadly similar to previous deals ...

18. Both the Australian and the Japanese text follow a similar template as has been proposed by the US for a New Zealand Framework, with similar structure and content.
19. The Malaysia and Thailand deals follow a simpler format. They are presented as Memoranda of Understanding rather than Frameworks. While these documents are nearly identical to each other, they differ in format to the Framework proposed to New Zealand but are comparative in content and objectives.

... however, there are some notable differences:

- a. The Australian and Japanese deals both include “critical minerals and rare earths” throughout their documents, whereas the New Zealand draft states only “critical minerals” in most instances.
 - b. The Australian and Japanese documents use more compelling language (eg “will” instead of “intend to”) which implies a stronger agreement to action, and the addition of country-specific priorities.
 - c. Australia’s agreement includes an intention to provide at least \$1 billion in financing to critical minerals projects, convening a Mining, Minerals and Metals Investment Ministerial within 180 days of the date of the Framework, and the establishment of a U.S.-Australia Critical Minerals Supply Security Response Group.
 - d. Japan’s agreement includes a focus on derivative products, stockpiling arrangements, an openness to “like-minded countries” with regard to product delivery, fair trade and “real costs,” and the establishment of a US-Japan Rapid Response Group
20. As with the Australian and Japanese agreements, the Malaysian and Thai documents have bespoke inclusions which add and/or emphasise points of specific interest to each country.
- a. Malaysia’s agreement specifically noted manufacturing as an objective, in addition to exploration, extraction, processing and refining, and recycling and recovery of critical mineral resources.
 - b. Thailand’s agreement emphasised value streams beyond the export of raw materials, such as investment provisions for technology transfer, development of domestic processing industries and training domestic personnel. It also outlines provisions for first opportunity to invest and expedient information sharing.

We will provide further advice

21. The below areas will be key to understanding the impact of the Framework and need to be analysed, and discussed with the US.
- a. **The Template itself.** The current US proposal takes the form of a “Framework”. The US has concluded similar instruments with other countries as a “Memorandum of Understanding.” The later term is more commonly used to refer to legally non-binding instruments. The legal status of the instrument will be an ongoing focus.
 - b. **Committing to future Crown financing.** We will need to determine the extent to which our current financing mechanisms would be relevant, whether new funding would be required, and provide advice on the level of commitment that would likely be needed. Identifying what quantum of commitment the US expects will be essential to determining whether to advance towards negotiation. s9(2)(f)(iv)
 - c. s6(a), s9(2)(j)

d. **How any deal addresses energy transition and defence uses for critical minerals.** s9(2)(j), s9(2)(g)(i)

e. **Impact on other international relationships** s6(a)

f. **Impact on our tariff settings with the US.** s6(a), s9(2)(j)

g. **Impact on other foreign investors.** s6(a)

We need to ensure that any US investment and provisions in the Framework do not impede other investment without due consideration.

h. **Legal and trade ramifications.** s9(2)(h)

i. **The extent of iwi engagement.** Treaty analysis will determine the scale and scope of iwi consultation. We will need to ensure we meet relevant existing Crown Mineral Treaty commitments as well as consider the best practice for informing iwi of matters that could be of potential interest, beyond existing policy or permit consultation that has taken place to date.

j. **Science and technology opportunities.** We will need to determine what actions will deliver the best economic outcome for New Zealand including how we can best secure future value from innovation underway in New Zealand.

k. s7(b)(i), s7(b)(ii)

l. **Maximising the benefit from scrap and recycling.** An explicit mechanism to help our technology firms to scale to commercial level could lead to New Zealand technology being deployed in multiple countries and locations to improve onshoring of critical minerals supply.

m. s 9(2)(f)(iv)

n. **Assessing potential future requests for action.** It is almost certain that the US will view the Framework as a precursor to more active engagement. s6(a)

s6(a)

22. There are likely to be other factors for consideration given the early stage of the due diligence process so far.

Next steps

23. Officials will continue to work through the areas of risk and opportunity in the draft Framework.
24. Once we have your agreement to undertake negotiations and officials have determined our negotiating position, we will engage with the US to work through the Framework.

Released by the Ministry of Foreign

airs and Trade



26 January 2026

Minister of Foreign Affairs
Minister for Resources

For approval by
For approval by

26 January 2026
26 January 2026

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

BRIEFING Decision Submission

PURPOSE Provide Ministers an update on the Framework text negotiations and options for signing the Framework.

Recommended referrals

Prime Minister	For information by	27 January 2026
Minister for Trade and Investment	For information by	27 January 2026
Minister for Energy	For information by	27 January 2026
Minister of Defence	For information by	27 January 2026
Minister of Finance	For information by	27 January 2026
Minister for Economic Growth	For information by	27 January 2026

Contact details

NAME	ROLE	DIVISION	WORK PHONE
Jeong Park	Lead Adviser	MFAT Economic Division	s9(2)(a)
Katherine MacNeill	General Manager	MBIE Resource Markets	

Minister's Office to complete

<input type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Referred
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

Comments

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

Key points

- As agreed in submissions on 1 December [BRIEFING-REQ-0023431] and 16 December [BRIEFING-REQ-0025275], agencies have undertaken a process to negotiate the non-binding *United States-New Zealand Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths* ('Framework'), with the aim to conclude the Framework by the 4 February United States-hosted *Critical Minerals Ministerial Plenary* ('Plenary').
- s9(2)(j)
 - US officials have confirmed that conclusion of the Framework is not necessary to attend the Plenary.
- s9(2)(j), s6(a)
 - Further discussion on how these could be implemented and how the US intends to operationalise its new frameworks will take place at the Plenary. Officials will provide supporting background briefing separately once further analysis, including on potential fiscal risks, has been undertaken.
- The wider risks and opportunities remain consistent with what has previously been advised to Ministers, including the oral item presented to Cabinet by the Minister for Resources on 17 December 2025.
- s6(a), s9(2)(g)(i)
 - All firms importing critical minerals products from China, including New Zealand firms, are now subject to new export controls regime s6(a)
- s6(a), s9(2)(g)(i)
 - There is positive commercial interest from the New Zealand critical minerals sector in US investment, particularly minerals-related technology companies as well as extractive projects, which the US has indicated the Framework is likely to be able to facilitate. Some companies may also be able to receive investment from the US before the Framework is in place. s9(2)(b)(ii)
- Preliminary outreach to Māori stakeholder groups has identified concerns around the truncated negotiation process, the substance of the Framework, engagement with the US given recent geopolitical developments, and that this may be raised with the Waitangi Tribunal regarding the Wai 3325 Climate Change inquiry. Further time would enable additional engagement with Māori stakeholder groups to mitigate risks.

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

- Officials continue to hold the view that the Plenary on 4 February should not drive the negotiation timeline. In addition to the concerns raised by Māori stakeholder groups, undertaking a truncated process to conclude the Framework makes it difficult to fully consider the broader risks of the Framework, s9(2)(j)
- Should Ministers wish to proceed with signing the Framework before the Plenary, it will be based on accepting the possibility of a Waitangi Tribunal complaint, and the Framework's broader risks not being fully considered.

Grahame Morton
MFAT Deputy Secretary Americas and Asia Group

Paul Stocks
MBIE Deputy Chief Executive

Date: 26/01/2026

Date: 26/01/2026

Released by the Ministry of Foreign Affairs and Trade

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

Recommendations

It is recommended that you:

- | | | |
|---|---|--|
| 1 | Note that concluding the 'United States-New Zealand Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths' by the 4 February Plenary, is not a prerequisite for the Minister of Foreign Affairs to attend. | Yes / No |
| 2 | s9(2)(j), s9(2)(h) | Yes / No |
| 3 | s9(2)(j) | Yes / No |
| 4 | s9(2)(j) | Yes / No |
| 5 | Note Māori stakeholder groups have expressed concerns with the process and substance of the Framework, alongside reservations with cooperation with the US given recent geopolitical developments. | Yes / No |
| 6 | Note that negotiated changes to the draft Framework text go some way to addressing the issues raised by Māori stakeholder groups, but engagement has been abbreviated given receipt of the US proposal on 1 December. | Yes / No |
| 7 | Agree that EITHER:

a) Signing the Framework is deferred to a later date, to allow further consideration of risks and implications (including from information that may arise at the Plenary) and further, comprehensive engagement with Māori stakeholder groups on their concerns;

OR

b) The Framework is signed before or at the Plenary subject to the final text from the US meeting expectations. | Yes / No

Yes / No |
| 8 | s9(2)(b)(ii) | Yes / No |

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

- 9 **Refer** a copy of this submission to Prime Minister, Minister of Finance and **Yes / No** for Economic Growth, Minister for Trade and Investment, Minister of Defence, and Minister for Energy.

Rt Hon Winston Peters
Minister of Foreign Affairs

Date: / /

Hon Shane Jones
Minister for Resources

Date: / /

Released by the Ministry of Foreign Affairs and Trade

Aide Memoire — Going For Growth Trade and Investment
Ministerial Group (Wednesday 28 January 2026)

Out of scope

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Affairs and Trade

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airs and Trade

Out of scope

Update on critical minerals

- Officials are continuing negotiations with the non-binding “US-NZ Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths”, s9(2)(f)(iv). Minister Peters has been invited to the Plenary and is still considering whether to attend.
- Minister Jones will provide an oral update to Cabinet on critical minerals developments, including on the proposed US-NZ Framework, on 27 January.

Out of scope

Out of scope

Economic, Trade Policy and Negotiations, and Americas Divisions
Ministry of Foreign Affairs and Trade
26 January 2026

Released by the Ministry of Foreign Affairs and Trade

Aide Memoire — NZ-US Critical Minerals Framework

Introduction

- s9(2)(j)

- Nga Toki Whakarururanga has now escalated their concerns about the CMF to the Waitangi Tribunal.

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

- We also note the fluid context in which negotiations are taking place. s6(a)

There is also [speculation within the US critical minerals sector](#) that the US is moving away from supporting price floors (Reuters article 29 January) for critical minerals, but the potential use of tariffs remains.

s9(2)(j)

•

•

•

•

• s6(a)

• s9(2)(j)

Other Fiscal implications

• In their agency feedback, Treasury has queried whether:

○ the Framework creates a cost pressure.

○ s9(2)(f)(iv)

• In response to the first point, the Cabinet paper states:

s9(2)(j)

• On the second point, s9(2)(f)(iv) (and the ringfenced \$80 million Regional Investment Fund funding for critical mineral projects)

is not considered necessary to finalise the Framework, and has not been represented as such in negotiations with the US. s9(2)(f)(iv)

Wai 3325 issue

- As part of the broader Waitangi Tribunal Climate Change Priority Inquiry (WAI3325), Ngā Toki Whakarururanga has now made a submission seeking information from the Crown on whether the US has sought a Critical Minerals arrangement with New Zealand and, if so, the content of the arrangement, the process undertaken to engage Māori in its development and the protections provided for Māori within it.
- The memorandum to the Tribunal states “Were the Crown to pursue such an agreement it would therefore be making commitments...that breach the principles of rangatiratanga and kawanatanga, that are antithetical to tikanga, matauranga and kaitiakitanga, and which are in breach of the principles of “mutual recognition and respect” and “active protection”.
- The Crown Law Office has sought MFAT assistance in providing a memorandum in response noting the existence of ongoing negotiations, the nature of wording addressing Māori interests and the engagement undertaken to date with Māori interest groups.

Ministry of Foreign Affairs and Trade and Ministry of Business, Innovation and Employment
30 January 2026

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

Report

We are closer to agreement on the framework text but US revisions still present some uncertainty

s9(2)(j)

2. s9(2)(h)

3.

4. s9(2)(j), s6(a)

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US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

s9(2)(j), s9(2)(h)

Risks remain

5. A range of risks were outlined in the previous joint submission on 16 December [BRIEFING-REQ-0025275]. The following risks remain outstanding.

6. **Committing to future Crown financing.** s6(a)

We currently have \$85 million from the Regional Investment Fund ring fenced for critical mineral projects which can be provided as our Crown commitment. s9(2)(j), s6(a)

7. **Locking in commercial outcomes.** s9(2)(j), s6(a)

s6(a), s9(2)(b)(ii)

8. s6(a)

9. s6(a)

10. s6(a)

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

s6(a)

11. s6(a)

A Presidential Action of 14 January noted that concerning critical minerals Frameworks, “it may be appropriate to impose import restrictions, such as tariffs, if satisfactory agreements are not reached in a timely manner”. s6(a), s6(b)(ii)

12. s6(a), s9(2)(j)

13. **The Cook Islands may also agree a framework:** s6(a), s6(b)(i)

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

15. **Assessing potential future requests for action.** s6(a), s9(2)(j)

Māori stakeholder groups have raised concerns

16. As noted in previous submissions on 1 December [BRIEFING-REQ-0023431] and 16 December [BRIEFING-REQ-0025275], there has been engagement with some Māori stakeholder groups¹ under commitments to consult with them on international trade policy and other bilateral processes.

17. These groups have concerns can be broadly categorised into three elements:

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

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

- **Process:** the lack of domestic engagement with affected Māori rights holders on the Framework consistent with the Crown's Treaty obligations, and the inadequacy of a truncated timeline for a significant bilateral arrangement.
 - **Substance:** the alleged absence of language that provides protection of Māori responsibilities and rights; absence of protections for Māori land and resource rights; the absence of environmental safeguards; changes to permitting and deregulation; de facto obligations even when non-binding; and the absence of language that provides for Māori participation in the decision making and governance of the Framework.
 - **Partnering with the US:** entering into any agreements with the United States Government ^{s6(a)}
18. Māori stakeholder groups have recommended that the Government formally oppose adopting the Framework, a reset of the process, an explicit recognition of Treaty of Waitangi obligations, Māori rights and interests and resource protections, and consent-based approaches to development. One group has written to the Ministers for Trade and Resources directly in relation to these concerns, also signalling that it intends to raise concerns with the Waitangi Tribunal regarding the WAI 3325 inquiry. Officials have responded, noting their concerns in relation to the proposed Framework have been registered, and would be recorded for Ministers' awareness.
19. The Framework covers policy matters that are captured with the Minerals Strategy for New Zealand, and wider existing government policy settings (such as the Overseas Investment Act).
20. MBIE has previously consulted directly with iwi/hapū/Māori on critical minerals issues through the development of the Minerals Strategy and Critical Minerals List which were consulted on in 2024 and published in January 2025, following Cabinet approval. This process also included public consultation. These engagements have informed officials' views, including that a Treaty of Waitangi clause be included in any future binding agreements.
21. ^{s9(2)(b)(ii)}
22. The proposed non-binding Framework with the US is not specific or prescriptive enough to have direct impacts in terms of new policy commitments. ^{s9(2)(f)(iv)}
- Should such actions be proposed, due diligence would be taken during those next steps to ensure all Treaty obligations and commitments are adhered to. This would include consultation with iwi/hapū/Māori on relevant matters as they arise.
23. Officials consider it appropriate for further engagement to take place on actions which may arise as a result of the Framework, and which would pertain more tangibly to Māori interests.

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

Should any new policy initiatives be indicated, we expect that that this would require consultation under Crown Treaty obligations and settlement commitments.

24. Officials have noted to the US that a Treaty of Waitangi clause is included in all binding agreements; raised for awareness should the draft Framework shift from its current non-binding status. s9(2)(j)

Additional negotiating time unlikely to negatively impact our interests

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

26. We understand the meeting will be attended by members of the Minerals Security Partnership (the MSP, which includes New Zealand); G7; members of Pax Silica (the US initiative to improve the resilience of the computer chips supply chain, including silicon and other critical minerals); and other strategic partners the US is negotiating, or has signed, a bilateral arrangement with. The US is simultaneously negotiating critical minerals deals with several partners, s6(a)

27. The Plenary's objective is to "advance concrete actions to diversify and secure global critical mineral supply chains". The agenda includes:

- A government-to-industry dialogue and networking event to be attended by Ministers on 3 February the day before the Ministerial Plenary hosted by Secretary Rubio;
- s6(a)
- Re launch of the Minerals Security Partnership s6(a)

A Minerals Investment and Finance Roundtable, featuring presentations from US government agencies on financing tools and priority projects; and

- Signing ceremonies for new Critical Minerals Frameworks and announcement of US supported projects.

28. The US is aiming for maximum participation at the Ministerial Plenary to demonstrate global commitment to secure critical minerals supply chains. s6(a), s6(b)(i)

US-NZ Critical Minerals Framework: Negotiations Update and Options for Signing

Business opportunities can be explored regardless of Framework

29. ^{s6(a), s6(b)(i), s9(2)(b)(ii)}

30.

31.

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Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

A Non-Binding Framework on Critical Minerals Between the United States and New Zealand

Portfolios **Foreign Affairs / Resources**

On 2 February 2026, Cabinet:

- 1 **noted** that New Zealand will be represented at a ministerial meeting hosted by United States (US) Secretary of State Rubio in Washington DC on 4 February 2026;
- 2 **noted** that officials have negotiated amendments to the text of the proposed United States – New Zealand Framework for Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths (the Framework), and that, ^{s9(2)(j)}
- 3 **noted** that New Zealand will not sign a non-binding Framework with the US on critical minerals at the upcoming ministerial meeting;
- 4 **invited** the Minister for Resources to return to Cabinet with further advice on the proposed Framework, and to seek approval for the next steps.

Rachel Hayward
Secretary of the Cabinet

Event Brief – Critical Minerals Ministerial Meeting

Time and date: 8.30am-4.30pm, Wednesday, 4 February (agenda attached)

Objectives

New Zealand's objectives

- s6(a), s9(2)(g)(i)
- Gather information to inform New Zealand's future policy and planning around critical minerals, including the proposed bilateral framework with the US.

US objective

- The US' overall objective for the Critical Minerals Ministerial on 4 February is to build political support for its efforts to secure and diversify critical mineral supply chains.
- There is speculation that the US intends to work towards a binding multilateral agreement of some kind, such as a critical minerals 'Preferential Trade Zone' (PTZ).

Planned US announceables from the meeting

- Launch of the rebranded Minerals Security Partnership (MSP – of which we are a member) as 'The Forum On Resource Geostrategic Engagement (FORGE) and promotion of a fresh set of guiding principles.
- A series of bilateral critical minerals investment deals with partners and private stakeholders.
- Signing of bilateral Critical Minerals Frameworks (unclear how many will be ready).
- The US has stated it will issue its own statement (which has not been circulated).

If needed talking points and questions

Session II: Talking points on price mechanisms

- New Zealand supports international cooperation on addressing non-market practices.
- We consider international cooperation to be necessary to successfully address failures in the critical minerals markets.
- We would appreciate the opportunity to engage further in collaborating on the development of any international pricing, or non-pricing, mechanisms. We want to better understand the data and implications of proposals.
- It will be critical to ensure any provisions are consistent with existing WTO disciplines, our FTA obligations and mitigates the risk of potential fiscal implications.
- New Zealand is constrained in its ability to compete with larger economies offering significant subsidies and incentives, but wish to promote an aligned, international approach to critical minerals.
- s6(a) . However, the benefits of any agreements will need to clearly outweigh the costs.

Questions for other partners on price mechanisms

- What policies do you have in place to ensure a well-functioning market for critical minerals?

- How are you monitoring unfair trading practices and non-market policies, which may be impacting your access to critical minerals?
- Are you considering how institutions may develop mechanisms to ensure a sustainable price framework that encourages diversification of supply? s6(a)
- How do you currently view the critical minerals supply chain landscape? Are global initiatives making a difference in diversifying away from concentrated production and processing markets?

Session III: Talking points on critical minerals engagement with the US

- We welcome US interest in partnering with New Zealand on critical minerals.
- s6(a)
- New Zealand also wants to accelerate investment in our critical minerals sector and welcomes the opportunity for further cooperation with the US, including through the FORGE and the proposed bilateral critical minerals framework.
- We have made good progress on the proposed Framework, s6(a), s9(2)(j), s9(2)(b)(ii)
- New Zealand has developed a list of critical minerals (attached) whose supply is at risk and includes critical minerals from other countries' lists that we may be able to supply.

Key points

9:45-10:15am: Plenary Session 1: Launch of FORGE

- The Minerals Security Partnership (MSP) was established under the Biden Administration as a non-binding and consensus-based initiative to secure critical mineral supply chains, coordinate on related policy, and promote investment in the critical minerals sector. Currently there are 16 members. New Zealand joined in November 2025.
- Two weeks ago, the US submitted a proposal to rebrand the MSP to FORGE, introduce "guiding principles" (attached), and establish two working groups on 'investment projects' and 'policy coordination'.
- s6(a), s6(b)(i)
- There were two rounds of member feedback on the draft guiding principles. s6(a), s6(b)(i)

- With the MSP being consensus-based, the US will launch its FORGE rebrand during this session, but not the guiding principles, which will need further negotiating s6(a)
- The US will use the session to promote and provide more detail on its FORGE proposal (see attached key messages on FORGE for reference).
- While the US' proposed guidelines reflect its overall critical minerals policy, they are not directly linked to the range of bilateral frameworks it is seeking to agree.

10:40-11:45am: Plenary Session 2: Price Floor Mechanism Presentation and Q&A

This session will provide Heads of Delegation the opportunity to deliver interventions if they wish. We have prepared an intervention for you to draw on if needed (attached).

s6(a)

- s6(a)

1:45-3:00pm: Plenary Session 3: Minerals Investment Roundtable, Audience Q&A

Direct investment

- s6(a), s9(2)(b)(ii), s6(b)(i)
- It is possible any US investments would come with conditions, s6(a), s9(2)(b)(ii), s6(b)(i)
- These investments will need to be agreed to by relevant firms, and regulatory pathways will need to be traversed (e.g., Overseas Investment Office processes, if relevant).

Additional infrastructure

- s6(a)
- With critical minerals currently clustered on the West Coast there may be an opportunity to materially improve important regional infrastructure that will expand export potential as well as improve the region as a whole.

- Recent discussions with companies have highlighted the desirability of a port expansion and transport upgrades to improve the resilience of the export chain and support the additional workforce needed for new projects.

Funding to support a pipeline of technology start ups

- Whether or not a Framework is signed, it will be worth promoting US-NZ collaborative funding and US investment in critical minerals technology research.
- There are several start-ups that have come out of university-led research that have promise for providing innovative recycling/reuse innovation.
- Such innovation not only serves to provide a clean alternative to traditional production methods, but the transferability of the technology also allows New Zealand to be an innovation hub for partners to improve their domestic critical minerals production.
- s6(a), s9(2)(f)(iv)

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

3.30-4.30pm: Plenary Session 4: Framework Signing Ceremonies

s9(2)(g)(i)

What is the US trying to achieve with their frameworks?

- We understand the US is working on up to 40 bilateral frameworks. The bilateral frameworks aim to:
 - Promote and de-risk investment in strategic projects that are urgent and critical to supply chain diversification.
 - Reduce reliance on concentrated minerals supply.
 - Enable greater transparency and traceability in the critical minerals sector.
 - Enhance market confidence and long-term supply chain resilience.
 - Encourage the adoption of price mechanisms to protect from non-market policies and unfair trade practices.

US-New Zealand Bilateral Framework

- The US proposed a non-binding 'United States-New Zealand Framework For Securing of Supply in the Mining and Processing of Critical Minerals and Rare Earths Framework' in December 2025 (current text attached).

- The Framework could spur US investment in New Zealand and support the Cabinet approved Minerals Strategy for New Zealand to 2040.
- s6(a)

s6(a)

- s6(a), s9(2)(g)(i), s9(2)(j)
- Māori stakeholder groups' concerns: There has been formal opposition to the proposed Framework citing inadequate consultation, the alleged absence of language that provides protection of Māori rights, and entering into a Framework s6(a) . We are also engaged in a Waitangi Tribunal process on the Critical Minerals Framework, relating to the Wai 3325 Climate Change Inquiry.

Other frameworks and the US' anticipated long-term plans

- s6(a)
- While the frameworks are non-binding, s6(a)
- The bilateral frameworks and rebranding of the MSP to FORGE may be the initial steps towards this goal.
- s6(a), s9(2)(h), s9(2)(g)(i)

Background

Wai 3325 Claim

- On 27 January 2026, the claimant for Wai 3395 (on whether the Crown's climate change policies and actions are consistent with the principles of the Treaty of Waitangi) filed a related claim asking the Waitangi Tribunal to seek confirmation from the Crown whether:
“the US Government has sought a Critical Minerals Framework agreement and if so, the process for its development, the likely content, the role of Māori in that

process, and the protections for Māori responsibilities, duties and interests and the Crown's obligations under Te Tiriti o Waitangi".

- In response, the Crown submitted a short memo stating that the issue as raised by the claimant is peripheral to the core issues in the Wai 3395 climate change inquiry, and there is a risk of detracting the Tribunal's focus if the parties embark on a mini-inquiry into the Critical Minerals Framework.
- Nevertheless, to assist the Tribunal, we provided the following information:
 - New Zealand is currently in negotiation with the United States regarding a framework. It is anticipated the framework will either be concluded, or not, by the time the Crown gives evidence in March.
 - Consistent with the Crown's commitments under a mediation agreement with Ngā Toki Whakarururanga, the Crown (through MFAT) has engaged with Ngā Toki Whakarururanga about the proposed framework, including providing them with a draft text of the framework. The Crown has done so notwithstanding this is not a trade agreement.
 - The Crown has also engaged with the Federation of Māori Authorities and Te Taumata.
 - The Crown has since received feedback from Ngā Toki Whakarururanga and the Federation of Māori Authorities. Confidentiality obligations apply to this engagement and feedback.
- Senior officials from MBIE and MFAT will provide an update to the Tribunal when giving evidence on Wai 3395 in March 2026.

Economic Division
February, 2026

Attachments:

- Meeting agenda
- FORGE Guiding Principles
- FORGE Key Messages
- Intervention (to be delivered if needed during the plenary on price floor mechanisms)
- List of New Zealand Critical Minerals
- Draft US-NZ Critical Minerals Framework