

15 October 2026

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Personal details removed for proactive release

OIA 31265

Thank you for your email of 29 September 2026, in which you request the following under the Official Information Act 1982 (OIA):

Could you please provide copies of any documents held by MFAT relating to negotiations between New Zealand and the United States regarding an Enhanced Border Security Partnership (EBSP) or equivalent Visa Waiver Program security requirements since 1 January 2024, including negotiation papers, aide-memoires and briefing notes.

What legal analysis, privacy assessments or policy advice has MFAT received regarding implications of EBSP (or equivalent) for access to New Zealand citizens' biometric information, cross-border identity verification, and the risk to New Zealand's place in the Visa Waiver Programme should it not complete negotiations before the end of 2026?

Please include any documents describing EBSP or equivalent agreements signed by other countries, and communications between MFAT and New Zealand Customs Service, Immigration New Zealand, New Zealand Police and Department of the Prime Minister and Cabinet relating to EBSP.

If parts of the request are considered too broad, please provide any briefing documents prepared for ministers relating to EBSP (or equivalent) or the threat to New Zealand's ongoing inclusion in the Visa Waiver Program.

Background

We note that your request repeats earlier OIA requests received by the Ministry of Foreign Affairs and Trade (the Ministry), including your OIA request (reference: 30790) that was received on 11 March 2026, and responded to on 7 April 2026, and OIA request (reference 30125) received by the Ministry on 23 June 2026, and responded to on 22 July 2026. Since these responses were sent, the Ministry has provided initial advice on the EBSP to the relevant Ministers.

Response to your request

As of 29 September 2026, the information in scope of the part of your request for advice still under consideration by Ministers and all related advice, remains withheld in full

under section 9(2)(f)(iv) of the OIA, to maintain the confidentiality of advice tendered by officials and Ministers during the decision-making process. Where the information has been withheld under section 9 of the OIA, no public interest in releasing.

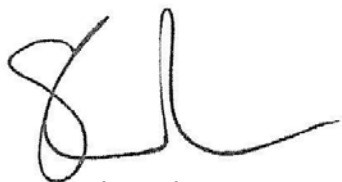
Your request for information regarding negotiations is refused under section 18(e) of the OIA, as the information you requested does not exist.

Your request for communications between agencies is refused under section 18(f) of the OIA, as the information requested cannot be made available without substantial collation or research.

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

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'SC', written over a horizontal line.

Sarah Corbett
for Secretary of Foreign Affairs and Trade