



9(2)a

Tēnā koe 9(2)a,

Thank you for your email of 18 December 2023 requesting the following under the Official Information Act 1982 (the Act):

Please could I have both the draft and final (if completed) versions of these Cabinet papers: These related to meeting New Zealand's NDC under the Paris Agreement.

- 1. Cabinet paper CAB 203 – International Cooperation on Mitigation to Reduce Emissions and Complement Domestic Action*
- 2. Cabinet paper CAB 215 – NDC Strategy*
- 3. Cabinet paper CAB 274 – Developing a Carbon Removals Strategy*

The Ministry for the Environment (the Ministry) has identified 18 documents in total in scope of your request, as listed in the attached table.

Cabinet paper CAB 203 – International Cooperation on Mitigation to Reduce Emissions and Complement Domestic Action

The Ministry has identified 3 draft versions of the cabinet paper, CAB-203, titled *Mandate for international cooperation on mitigation to reduce emissions and complement domestic action* and we have provided these to the you with some information within these documents withheld under the following sections of the Act:

- Section 6(a) - the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand;
- Section 6(b)(i) - the making available of that information would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by the Government of any other country or any agency of such a Government;
- Section 6(2)(b)(ii) - the making available of that information would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by any international organisation;
- Section 9(2)(f)(iv) – to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- Section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty;

- Section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

The final version of CAB-203 has been provided to you with some information within this document withheld under the following sections of the Act:

- Section 6(a) - the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand;
- Section 6(b)(i) - the making available of that information would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by the Government of any other country or any agency of such a Government;
- Section 6(2)(b)(ii) - the making available of that information would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by any international organisation;
- Section 9(2)(f)(iv) – to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- Section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty;
- Section 9(2)(h) – to maintain legal professional privilege; and
- Section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Cabinet paper CAB 215 – NDC Strategy

The Ministry has identified 7 draft documents of the cabinet paper, CAB-215 titled *Nationally Determined Contribution Strategy* and we have provided these to you with some information within the documents withheld under the following sections of the Act:

- Section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.
- Section 9(2)(j) – to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(i) to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

The draft versions of CAB-215 appendix 1 contained very minor changes and matches the proactively released version available here: <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/nationally-determined-contribution-strategy/>.

The final version of CAB 215 has been provided to you with some information withheld under the following sections of the Act:

- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(j) to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Cabinet paper CAB 274 – Developing a Carbon Removals Strategy

The Ministry has identified 6 draft versions of the cabinet paper, CAB-274 titled *Developing a Carbon Removals Strategy* and we have provided these to you with some information within the documents withheld under the following sections of the Act:

- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- 9(2)(h) to maintain legal professional privilege.

The final version of CAB-274 has been proactively released and we must refuse this part of your request under section 18(d) of the Act as the information is publicly available on the Ministry's website, available here: environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/developing-a-carbon-removals-strategy/.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of

the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: ministerials@mfe.govt.nz.

Nāku noa, nā,

A handwritten signature in black ink, appearing to read 'S Goodman', is centered within a white rectangular box.

Stephen Goodman
Acting General Manager – Climate Change Mitigation
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Document no.	Document date	Content	Decisions	OIA sections applied
1	2/8/2023	Final - CAB 203 - Cabinet Paper - Mandate for International Cooperation on Mitigation to Reduce Emissions and Complement Domestic Action	Released in part	6(a); 6(b)(i); 6(b)(ii); 9(2)(f)(iv); 9(2)(g)(i); 9(2)(h); 9(2)(j)
2	2/11/22	CAB-203 Cabinet Paper draft 2 Nov 2022	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
3	12/6/23	12 June - CAB203 draft	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
4	21/06/23	Draft CAB-203 ICM (amended 230621)	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
5	24/3/2023	Draft 1 - 24.03.23 – CAB215	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
6		CAB215 -Text from Draft 2	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
7		CAB215 Draft 3	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
8		CAB215 Draft 4	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
9		CAB215 Draft 5	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
10	09/06/2023	CAB215 Draft 6 - 09.06.23	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
11	13/06/2023	CAB215 Draft 7 - 13.06.23	Released in part	9(2)(g)(i); 9(2)(j); 9(2)(f)(iv); 9(2)(i)
12		CAB 215 final version	Released in part	9(2)(f)(iv) 9(2)(j)
13	25/5/2023	2023 05 25 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)
14	1/6/2023	2023 06 01 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)
15	7/6/2023	2023 06 07 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)

16	12/6/2023	2023 06 12 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)
17	15/6/2023	2023 06 15 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)
18	21/6/2023	2023 06 21 draft - CAB-274 Developing a Carbon Removals Strategy	Released in part	S9(2)(f)(iv); S9(2)(h)