



9(2)a

Tēnā koe 9(2)a ,

Thank you for your email of 18 January 2024 to Minister of Climate Change Hon Simon Watts requesting the following under the Official Information Act 1982 (the Act):

The proactively released version of Cabinet Paper "Nationally Determined Contribution Strategy", considered by Cabinet in July 2023, contains the following paragraph: "26. The present paper's focus on the NDC strategy is complemented by two further papers which I am bringing to Cabinet in parallel, relating to [----- 9(2)(f)(iv)-----] a domestic Carbon Removals strategy. Further papers outlining domestic mitigation proposals and strategies will be brought back to Cabinet." I have two separate requests:

1) the text withheld from the paragraph above. I cannot see why there would be grounds to withhold the title/subject of this Cabinet paper, even if there are ground to withhold some of its content. If this Cabinet paper relates to progressing international mitigation toward New Zealand's NDC, I would point out that it is already publicly known via other releases that there is ongoing work on this. For example, the development of an "International Emissions Reduction Plan (IERP)" was described in the proactively released Cabinet paper addressing updated ETS settings following judicial review. The earlier publicly released Cabinet paper "Progressing international cooperation to reduce emissions and complement domestic action" also described the work programme on offshore mitigation toward the NDC. My expectation is that this first request will be answered within the 20 day timeframe, as it is only a question of assessing a few words. If the second request below takes longer, I still expect this first request to be answered promptly.

2) A copy of the Cabinet paper whose title/subject was withheld in the paragraph above, and the related Cabinet minute. In the event that an extension of time is required on the basis of a need for consultation, I would like an explanation of who is being consulted and why specifically this means the original deadline cannot be met.

On 30 January 2024, the office of Minister Watts transferred your request to the Ministry for the Environment (the Ministry) under section 14 of the Act.

On 16 February 2024, the Ministry provided you with the information relating to the first part of your request. The previously withheld section of paragraph 26 of the Cabinet paper "Nationally Determined Contribution Strategy" was released to you in full.

Regarding the second part of your request, I am releasing the Cabinet Paper "Mandate for International Cooperation on Mitigation to Reduce Emissions and Complement Domestic

Action” and the corresponding Minute of Decision to you with some information 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).

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 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.

Ngā mihi,



Mark Vink
General Manager – Markets
Ministry for the Environment | Manatū Mō Te Taiao

Document schedule

Doc no.	Document date	Content	Decisions	OIA sections applied
1	2 August 2023	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 August 2023	Minute of Decision - Mandate for International Cooperation on Mitigation to Reduce Emissions and Complement Domestic Action	Released in part	6(a); 9(2)(f)(iv); 9(2)(h); 9(2)(j).