



COVERSHEET

Minister	Hon Shane Jones	Portfolio	Resources
Title of Cabinet paper	A Non-Binding Framework on Critical Minerals Between the United States and New Zealand	Date to be published	17 March 2026

List of documents that have been proactively released

Date	Title	Author
February 2026	A Non-Binding Framework on Critical Minerals Between the United States and New Zealand	Office of the Minister for Foreign Affairs Office of the Minister for Resources
2 February 2026	A Non-Binding Framework on Critical Minerals Between the United States and New Zealand CAB-26-MIN-0018 Minute	Cabinet Office

Information redacted

YES

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reasons of international relations, negotiations, legal professional privilege, commercial information, confidential advice to government, and free and frank opinions.

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RECEIVED

Waitangi Tribunal

20 Mar 26

Ministry of Justice
WELLINGTON

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. International relations; Negotiations

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**. International relations; Negotiations
- 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 International relations; Negotiations



6.4

6.5 International relations; Negotiations; Legal professional privilege



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 International relations

13



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.

International relations; Negotiations; Legal professional privilege



International relations; Negotiations

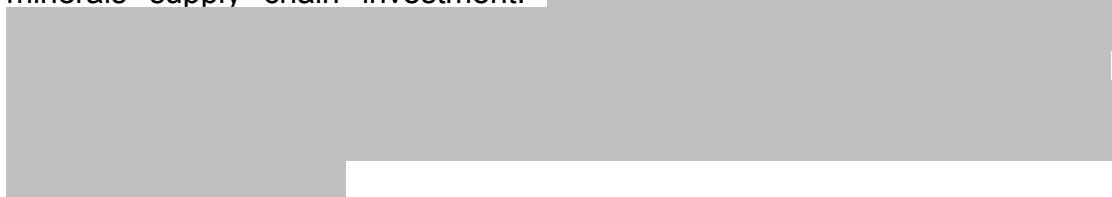


20 If in the future, there is a mechanism that the US insists is binding, we will bring that proposal back to Cabinet for decision.

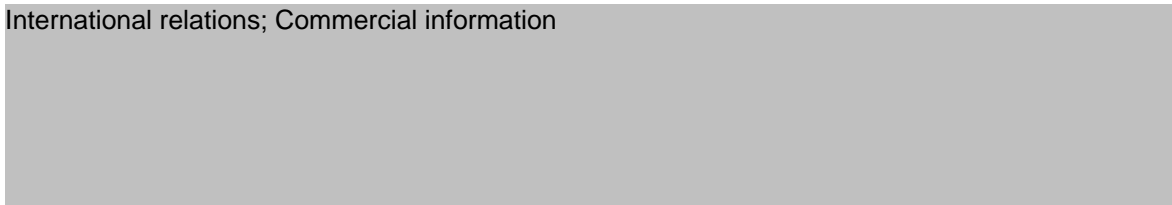
Signing the Framework presents opportunities

Direct US investment

21 We understand the US is making available up to US\$200bn in new critical minerals supply chain investment. International relations; Commercial information



22 International relations; Commercial information




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. Commercial information



Additional infrastructure

24 Commercial information



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 Confidential advice to Government

There are risks to signing the Framework

27 Legal professional privilege

28 **Committing to future Crown financing.** Negotiations
There is currently \$80 million from the Regional Investment Fund ringfenced for critical mineral projects that can be provided as our Crown commitment. Negotiations

29 **Locking in commercial outcomes.** Negotiations

Negotiations

30 **Impact on other international relationships, especially China.** International relations

31 International relations

32 International relations

Officials will engage US counterparts to seek alignment as far as possible.

33 International relations

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”.

International relations

34 International relations

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37 International relations

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 International relations

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 Negotiations

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).

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

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

45 Commercial Information [REDACTED]
[REDACTED] 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 Confidential advice to Government [REDACTED] 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 Legal professional privilege



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 Confidential advice to Government



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
Negotiations
[Redacted]
- 2 **Note** that officials have negotiated amendments to the proposed Framework text and that, Negotiations
[Redacted]
- 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 International relations; Legal professional privilege
[Redacted]
 - 4.2 International relations
[Redacted]

4.3 Free and frank opinions; Negotiations

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