



Office of Hon Murray McCully

Minister of Foreign Affairs

Associate Minister for Sport and Recreation

Michael Dobson
fyi-request-4528-8807e67b@requests.fyi.org.nz

Dear Mr Dobson

I refer to your email of 31 August 2016 in which you request the following under the Official Information Act 1982 (OIA):

"I refer to your letter of 3 May 2016 to Michael Barton, subsequently made public by him, regarding New Zealand's phosphate imports. In that letter you state:

"Our understanding is that New Zealand companies importing phosphate from Western Sahara are doing so in accordance with international law."

I hereby request any and all written information relied upon in making this statement, including but not limited to:

any legal advice, whether generated within the Ministry of Foreign Affairs and Trade or obtained externally, relied upon in making this statement; and

any assessment of the factual situation prevailing in Moroccan controlled-Western Sahara relied upon in making this statement."

Attached are the documents relevant to your request. Some portions of the documents are withheld under section 9(2)(a), to protect individuals' privacy.

Internal legal opinions of the Ministry of Foreign Affairs and Trade relevant to your request are withheld in their entirety under section 9(2)(h), to maintain legal professional privilege.

Where the information has been withheld under section 9 of the OIA, no public interest in releasing the information has been identified that would be sufficient to override the reasons for withholding it.

You have the right under section 28(3) of the OIA to seek a review of this response by the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray McCully', written in a cursive style. The signature is positioned above a horizontal line that spans the width of the page.

Hon Murray McCully
Minister of Foreign Affairs