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OIA-2018-3053

18 June 2018

Andrew Riddell

fyi-request-7422-2abe1b4e@requests.fyi.org.nz

Dear Mr Riddell

I refer to your email of 19 April 2018, requesting when the Cabinet paper will be released publicly.

The process for publishing this document on the internet is still on-going. In the meantime, enclosed is a redacted copy that has been prepared for publication. Information relating to operational detail is withheld in accordance with section 6(a) of the Official Information Act 1982 (OIA) where release of that information would likely prejudice the security or defence of New Zealand and the international relations of the Government of New Zealand. Information relating to the future of these deployments is withheld in accordance with section 9(2)(f)(iv) of the OIA as it is still under active consideration by the Government of New Zealand. The public interest in providing this information does not outweigh the reason for withholding it in this instance.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request.

Yours sincerely

G.R. SMITH
Commodore, RNZN
Chief of Staff HQNZDF

Enclosure:

1. New Zealand Defence Force Contributions to Maritime Security Operations in the Middle East Region 2015 - 2020



Cabinet Paper:

New Zealand Defence Force Contributions to Maritime Security Operations in the Middle East Region 2015 - 2020

MoD ref: 141/15 NZDF tracking: 373 115

Type of submission: Cabinet Paper **For action by:** Cabinet Committee to be determined

Purpose: To seek Cabinet approval for a series of New Zealand Defence Force maritime security deployments in the Middle East region between December 2015 and June 2018. Approval in principle is sought for further maritime security operations deployments from July 2018 to December 2020.

This paper:

- Seeks approval for a P-3 Orion aircraft detachment and staff officer contributions to multinational organisations between December 2015 and June 2018.
- Seeks approval in principle for further deployments from July 2018 to June 2020 including a further Orion aircraft detachment, a frigate, s 6(a)
- Seeks approval to extend the logistics support hub in the s 6(a) from the current mandate of April 2017, to June 2018, and seeks approval in principle to extend the hub until December 2020.

Cost:

- Commitments between 8 December 2015 and 30 June 2018 are at an estimated cost of \$8,079,000.
- s 9(2)(f)(iv)

Recommended actions:

- Approve the paper Yes / No

MINISTER OF DEFENCE
Date:

T.J. KEATING
Lieutenant General
Chief of Defence Force
Date: 3.9.2015

HELENE QUILTER
Secretary of Defence
Date: 2.9.2015

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Agencies involved: New Zealand Defence Force, Ministry of Defence, Ministry of Foreign Affairs and Trade

Cabinet External Relations and Defence Committee

NEW ZEALAND DEFENCE FORCE CONTRIBUTIONS TO MARITIME SECURITY OPERATIONS IN THE MIDDLE EAST REGION 2015 – 2020

Purpose

1. To seek Cabinet approval for a series of New Zealand Defence Force maritime security deployments in the Middle East region between December 2015 and June 2018. Approval in principle is sought for further maritime security deployments from July 2018 to December 2020.

Executive Summary

2. Building on New Zealand's experience in supporting maritime security operations in the Middle East region, approval is sought for New Zealand Defence Force maritime security deployments between December 2015 and June 2018. These include:

- a. An Orion aircraft air surveillance detachment to the Middle East for a 6-12 month period in 2017;

s 6(a)

- d. a Staff Officer to the United Kingdom Maritime Trade Organisation detachment s 6(a) for a 6 month period in 2016, and a 4 month period in each of 2017 and 2018.

3. Approval is sought to extend the New Zealand Defence Force logistics support hub s 6(a) beyond the current mandate of April 2017, to June 2018, with approval in principle sought to December 2020. Approval in principle is sought for a range of further maritime security deployments from July 2018 to December 2020.

4. New Zealand has a strong strategic interest in the Middle East and Africa region given the disproportionate effect events in the region have on international security and the world economy. This strategic interest has driven New Zealand's past maritime security deployments to the region. The deployments proposed in this paper would also contribute to New Zealand's broader national security interests.

5. If these proposals are approved, New Zealand would be able to take a more deliberate and planned approach to contributions to maritime security operations in the Middle East. This would enable the New Zealand Defence Force to be more proactive in making offers to contribute personnel and assets and in seeking roles best suited to the New Zealand Defence Force in coalition operations.

6. Relevant ministers would be provided with further details ahead of each of the deployments between December 2015 and June 2018. For the deployments from July 2018 to December 2020, further advice would be provided and Cabinet approval sought in late 2017 or early 2018 for the various elements of the proposal.

Background

7. New Zealand has contributed to maritime security operations in the Middle East and Africa region since 1995 including in a number of international forces and commands. These include operations to: counter piracy, terrorism, and smuggling; enhance maritime safety and security; and conduct maritime surveillance. If agreed, the proposals outlined in this paper would enable New Zealand to maintain its current level of support to maritime security in the region.

8. Over the past five years the New Zealand Defence Force has deployed the following personnel and force elements to security operations in the region:

- a. a task force commander (2011 and 2014) and deputy task force commander (2012) to the Combined Maritime Forces Task Force 151 (Counter Piracy);
- b. personnel on Australian, United States, United Kingdom, and Singaporean naval vessels (2010-15);
- c. staff contributions to the Japanese-led team commanding Combined Task Force 151 (2015);
- d. a frigate to the Combined Maritime Forces and the North Atlantic Treaty Organization (2013-14 and 2015);
- e. an Orion aircraft and support staff to the Combined Maritime Forces, the North Atlantic Treaty Organization, the European Union and the United States Naval Forces Command (2014 - 2015);
- f. staff officers to the Combined Maritime Forces Headquarters (2013-15) in planning and intelligence roles; and
- g. staff officers to the Coalition Combined Air Operations Centre in Qatar to assist management and tasking of coalition aircraft (2015).

Policy considerations

Contribution to international peace and security

9. The security environment in the Middle East and East African ocean regions is impacted by a number of different factors, including conventional maritime and air forces, piracy, transnational crime and terrorist activity. The region is of global strategic significance due to its importance as a trade and transit route for both legal and illicit cargo. A relatively modest contribution to maritime security can have a significant effect in the immediate region and beyond, in disrupting illegal activities and maintaining stability.

10. Transnational crime in the region centres on illicit trafficking by sea, with the smuggling of narcotics, charcoal, weapons and people being of greatest concern. While weapons tend to remain within the region, smuggled drugs and people are usually destined for Europe and some narcotics reach South East Asia and beyond. Such criminal activities fund terrorist organisations operating throughout the region and challenge the stability of fragile African states.

11. Operations such as those conducted by Combined Maritime Forces Task Force 150 play an important role in promoting maritime security through countering terrorist acts and related illegal activities. While deployed to the Combined Maritime Forces Task Force 150 in May and June 2015, the frigate Te Kaha was involved in intercepting a total of 257 kilograms of heroin, contributing to efforts to prevent drug trafficking and stem the flow of funds for terrorist activities in the Middle East region and internationally.

12. The three counter-piracy operations in the region¹ along with other measures have contributed to reducing pirate activity. Piracy has significantly decreased since mid-2011 and the area of operation for counter-piracy operations has shrunk. However, the threat from piracy is likely to remain a long-term issue, albeit at lower levels than in the past, until stable governance and economic development is restored in Somalia.

Direct New Zealand interest

13. New Zealand has a strong strategic interest in the Middle East and Africa region given the disproportionate effect events in the region have on international security and the world economy. This, along with making a contribution to international efforts to prevent piracy and transnational crime in the region, has driven past maritime security deployments in addition to our other commitments in the region.

14. The proposed deployments would contribute demonstrably to New Zealand's broader national security interests. These include:

- a. contributing to regional, and therefore global, security and stability;
- b. supporting efforts to safeguard freedom of commerce and navigation, enhancing security in an area of trade and economic importance to New Zealand, which is particularly important given the value of exports to New Zealand shipped through the Suez Canal;
- c. maintaining and enhancing our reputation as a contributor to international peace and security;
- d. enhancing New Zealand's bilateral and multilateral relationships, including our defence linkages;
- e. supporting interoperability with security partners; and
- f. strengthening the New Zealand Defence Force's core skills.

15. Our role on the United Nations Security Council only increases New Zealand's level of interest in Middle East security issues, including maritime security threats.

Bilateral benefits

16. As demonstrated when we have provided support in the past, New Zealand military contributions would be welcomed by partners in the Middle East and African region. In addition, aircraft and frigate deployments provide secondary defence diplomacy opportunities. New Zealand contributions can also be used as leveraging opportunities by posts, including as a means by which to highlight New Zealand's commitment to regional security.

¹ The three operations are North Atlantic Treaty Organization Operation OCEAN SHIELD, European Union Operation ATALANTA, and Combined Maritime Forces Combined Task Force 151.

17. New Zealand military contributions would also be welcomed by our key security partners outside the region. Our partners (especially but not limited to five eyes partners) highly value the experience and the niche capabilities New Zealand can provide.

Planning ahead

18. Previous contributions to maritime security operations have relied, in the first instance, on a request for New Zealand participation in their operations. Others have been organised late and 'tacked' onto an existing deployment (such as when Te Kaha was involved in maritime operations alongside the deployment to attend Anzac Day commemorations earlier this year). This ad hoc approach is not optimal and can result in the New Zealand Defence Force not being able to take advantage of the most suitable opportunities at the best time. It also forces coalition partners to conduct short notice planning to accommodate New Zealand's contributions.

19. The deployment of assets such as an Orion aircraft and frigate require long lead times for coalition planning and to prepare the capabilities for deployment. New Zealand's partners also require advance notice for particular roles such as command of a coalition task force. International forces and commands conducting maritime security operations in the Middle East conduct regular force generation conferences where they identify their projected force needs for upcoming years. Taking a more deliberate and planned approach would allow the New Zealand Defence Force to be more proactive about making offers to contribute personnel and assets and target the most beneficial roles in coalition operations. Therefore Cabinet approval for activities over the next 2.5 years and approval in principle for the following 2.5 years is sought.

Proposed deployments from December 2015 to June 2018

20. Cabinet decisions on an Orion detachment and six staff officer roles are requested from 8 December 2015 to 30 June 2018. Relevant Ministers would be provided with further details in advance of these deployments.

Orion Aircraft Air Surveillance Detachment

21. An Orion is currently based s 6(a) and will return to New Zealand in December 2015. Following regeneration in 2016 it is proposed to be redeployed to the region in 2017. With 5 remaining Orions available for other tasking the proposed Orion deployment is not expected to impact on other outputs.

s 6(a)

s 6(a)

A second operations role with the United Kingdom's Maritime Trade Organisation detachment s 6(a) would contribute to ongoing regional counter-piracy initiatives and to enhancing security in the maritime environment. This role is for a member of the Royal New Zealand Naval Volunteer Reserve which has a core of trained maritime trade personnel. The small number of staff roles would not prevent the New Zealand Defence Force responding if needed elsewhere.

Logistics support hub s 6(a)

25. The New Zealand Defence Force has maintained a logistics hub s 6(a) s 6(a) since 2003 to provide support to the various missions and operations deployed to the region. This hub provides a critical enabling role as well as facilitating personnel movements to and from our contributions to the Building Partner Capacity mission in Iraq, the United Nations Truce Supervision Organisation, the Multinational Force and Observers and the current Orion detachment.

26. The mandate for the current deployment of a logistics support hub s 6(a) s 6(a) expires on 30 April 2017 [CAB Min (14) 5/3 refers]. In order to provide continued support to current and proposed future missions in the Middle East region, Cabinet approval is sought to maintain the logistics hub until 30 June 2018. A further extension will be sought beyond that point in line with the later deployments outlined in this paper.

Proposed Deployments from December 2015 to June 2018

Role	Tasking	Location	Time	Benefits
<i>Orion aircraft air surveillance detachment</i>				
Maritime surveillance, support NZ and coalition operations in the region	s 6(a)	s 6(a) Operations in the Arabian Gulf, Gulf of Oman and Indian Ocean region	Between 6 to 12 months in 2017	Visible and valued contribution to maritime security in the Middle East
s 6(a)				

Role	Tasking	Location	Time	Benefits
<i>Maritime Trade Operations Staff Officer (1) – New role</i>				
Enhance security in the maritime environment. Interact with shipping and port companies, and conduct briefings for vessels' masters while in port	United Kingdom Maritime Trade Organisation Detachment	s 6(a)	6 month period in 2016 4 month period in 2017 4 month period in 2018	Demonstrate commitment to counter-piracy and maintaining the security of maritime trade routes Ability to benchmark NZ's training against United Kingdom standards
<i>Logistics Support Hub</i>				
Logistics Support	Support to New Zealand Defence Force Deployed Units	s 6(a)	Extension of current mandate from 1 May 2017 to 30 June 2018	Personnel and logistics movements and support for New Zealand Defence Force Deployed Units within the Middle East region. Continued bilateral relationship with s 6(a)

Proposed deployments from July 2018 to December 2020

27. An ongoing contribution to maritime security operations is proposed out to 2020, with approval in principle sought for this. Further advice would be provided and Cabinet approval sought in late 2017 or early 2018 for the various elements of this proposal.

s 6(a)

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Proposed Deployments from July 2018 to December 2020

s 6(a)

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s 6(a)

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Operational Flexibility

32. Even once final approval for deployments is given, the operational need for changes can arise. It is therefore recommended that the Minister of Defence in consultation with the Minister of Foreign Affairs may authorise adjustments to the deployments, provided these adjustments do not significantly change numbers, cost or the intent of the mission.

Threat Assessment

s 6(a)

Legal Considerations

Status of Forces

39. s 6(a)

s 6(a)

Rules of Engagement

40. Rules of engagement may be issued for New Zealand Defence Force contributions to maritime security operations. Should rules of engagement be issued, they will be the subject of a separate submission from the Chief of Defence Force through the Minister of Defence to the Prime Minister.

Advice on Specific Deployments

41. Specific and detailed legal issues will be advised to Ministers for any specific deployments such as the Orion aircraft detachments.

Financial Implications

42. **Proposed Costs.** This proposal seeks to continue New Zealand Defence Force commitments to maritime security operations in the Middle East region from 8 December 2015 to 30 June 2018 at an estimated cost s 9(2)(f)(iv) s 9(2)(f)(iv)³ A summary of the estimated marginal cost of this proposal is set out in the table below:

² Costs beyond the conclusion of the Orion deployment in 2018-2019 are related to regeneration.

³ This differs from the timeframe used in the proposed deployments tables above as it covers financial years rather than calendar years.

Financial Year:	NZ \$ (Millions)				
	2015/16	2016/17	2017/18	2018/19 & Out years	Total
s 6(a)	0.211	0.381	s 9(2)(f)(iv)		
	0.035	-			
Maritime Trade Staff Officer s 6(a)	0.024	0.049	s 9(2)(f)(iv)		
Orion Aircraft Air Surveillance Task Unit s 6(a)	-	-	s 9(2)(f)(iv)		
Logistics Hub ⁴ s 6(a)	0.156	0.357	s 9(2)(f)(iv)		
Total Options	0.426	0.787			

43. **Appropriation Impact.** The proposed New Zealand Defence Force commitments to maritime security operations over the period 8 December 2015 to 30 June 2018 (which include the regeneration of the Orion capability in 2018-2019) at an estimated total cost of s 9(2)(f)(iv) can be met from within the Multi-Category Appropriation 'Operations Contributing to New Zealand's Security, Stability and Interests' in Vote: Defence Force; and will have no impact on the operating balance allowances as summarised in the following table:

MCA: Operations Contributing to New Zealand's Security, Stability and Interests	NZ \$ (Millions)			
	2015/16	2016/17	2017/18	2018/19 & Out years
Estimated Cost of this Proposal	0.426	0.787	s 9(2)(f)(iv)	
Other Planned Operational Commitments	41.374	34.021		
Total Forecast Operational Commitments	41.800	34.808		
Total Planned Appropriations	44.525	40.991		
Surplus/(Deficit)	2.725	6.183		

⁴ The Logistics Hub is funded until 30 April 2017 [CAB Min (14) 5/3 refers]. The cost of maintaining a Logistics Hub has increased to \$1.292 million per annum (previously \$1.115 million). This is due to both higher demand on accommodation s 6(a) (which has required the New Zealand Defence Force to hire additional facilities) and the reduction in value of the New Zealand dollar to the United States dollar.

44. **Future Proposed Costs.** Approval in principle is also sought for the following proposed future commitments over the period 1 July 2018 to 31 December 2020, at an indicative cost of **s 9(2)(f)(iv)**. The costs of future commitments will be updated as part of a submission for Cabinet approval in late 2017 or early 2018:

Financial Year:	NZ \$ (Millions)				
	2018/19	2019/20	2020/21	2021/22 & Out years	Total
s 6(a)	s 9(2)(f)(iv)				
Frigate Middle East Region					
Orion Aircraft Air Surveillance Task Unit s 6(a)					
s 6(a)					
Logistics Hub s 6(a)					
Total Options					

Consultation

45. This paper was prepared by the New Zealand Defence Force, the Ministry of Defence and the Ministry of Foreign Affairs and Trade. Treasury was consulted. The Department of the Prime Minister and Cabinet was informed.

Human Rights

46. There are no relevant implications for this paper.

Veterans' Affairs

47. The deployment of New Zealand Defence Force capabilities to multilateral maritime security operations in the Middle East and East African ocean regions has not been declared as qualifying as operational service for the purposes of the Veterans' Support Act 2014. However, military personnel and their families will be able to receive assistance under Accident Compensation Corporation Act 2001 if a military person is harmed or killed during this deployment.

Publicity

48. Previous deployments to maritime security operations in the Middle East have been publicised via a statement from the Minister of Defence. Given sensitivities pertaining to some Middle East countries in the area of operations, statements will need to be coordinated with partner countries. It is recommended that there is no publicity for s 6(a) but consideration would be given to an announcement for the Orion and Frigate contribution closer to the time of deployment.

Recommendations:

49. It is recommended that you:

- a. **Note** that New Zealand has a strong strategic interest in the Middle East and Africa, and that the proposed deployments would contribute to New Zealand's broader national security interests, including countering piracy, and countering terrorist attacks and related illegal activities;
- b. **Note** that a more deliberate and planned approach to contributions to maritime security operations would allow the New Zealand Defence Force to be more proactive about making offers to contribute personnel and assets and seek beneficial roles in coalition operations;
- c. **Note** that New Zealand contributions would also be valued by security partners and support bilateral relationships;
- d. **Approve** the deployment of:
 - i. an Orion aircraft air surveillance detachment to the Middle East for a 6-12 month period in 2017;
s 6(a)
 - ii. a Staff Officer to the United Kingdom Maritime Trade Organisation detachment s 6(a) for a 6 month period in 2016, and a 4 month period in each of 2017 and 2018.
 - iii. a Staff Officer to the United Kingdom Maritime Trade Organisation detachment s 6(a) for a 6 month period in 2016, and a 4 month period in each of 2017 and 2018.
 - iv. a Staff Officer to the United Kingdom Maritime Trade Organisation detachment s 6(a) for a 6 month period in 2016, and a 4 month period in each of 2017 and 2018.
- e. **Approve** an extension of the logistics support hub s 6(a) s 6(a) from May 2017 to June 2018;
- f. **Note** that relevant ministers would be provided with further details ahead of each of the deployments between December 2015 and June 2018;
- g. **Agree** that the Minister of Defence and Minister of Foreign Affairs may authorise adjustments to the deployments in response to operational requirements, provided these adjustments do not significantly change numbers, cost or the intent of the mission;
- h. **Approve** the total estimated marginal cost to extend the New Zealand Defence Force commitments to maritime security operations in the Middle East from 8 December 2015 to 30 June 2018 at a total cost of s 9(2)(f)(iv) s 9(2)(f)(iv) as follows:

Vote Defence Force Minister of Defence	\$Millions			
	2015/16	2016/17	2017/18	2018/19 & Out years
Contribution by the New Zealand Defence Force to maritime security operations in the Middle East region	0.426	0.787	s 9(2)(f)(iv)	

- i. **Note** the marginal cost of extending the maritime security operations commitments in the Middle East region from 8 December 2015 to 30 June 2018 (including the Orion regeneration cost in 2018-2019) can be met within the Multi-Category Appropriation: 'Operations Contributing to New Zealand's Security, Stability and Interests' in Vote Defence Force and will have no impact on the operating balance or budget allowances;
- j. **Note** that the total planned appropriations in 2015/2016 of \$44.525 million, in 2016/2017 of \$40.991 million, in 2017/2018 of s 9(2)(f)(iv) and in 2018/2019 of s 9(2)(f)(iv) are able to meet all of the current planned New Zealand Defence Force operational commitments, including the total estimated marginal costs of this proposal of s 9(2)(f)(iv)
- k. **Approve in principle** an ongoing contribution to maritime security operations in the Middle East from July 2018 to December 2020 including:
s 6(a)

l. s 6(a)

- m. **Note** that the total indicative marginal cost of the deployments proposed over the period 1 July 2018 to 31 December 2020 is s 9(2)(f)(iv) and

- n. **Note** that final Cabinet approval for the proposal would be sought in late 2017 or early 2018.

Hon Gerry Brownlee
Minister of Defence

____ / ____ / ____

Hon Murray McCully
Minister of Foreign Affairs

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