

HON Judith Collins KC MP, MINISTER OF DEFENCE

MANDATE RENEWAL FOR NEW ZEALAND'S LONGSTANDING MARITIME SECURITY COMMITMENTS IN THE MIDDLE EAST

This publication provides documents on Cabinet's June 2024 decision to extend the mandates the New Zealand Defence Force's maritime security commitments in the Middle East until 30 June 2026, including options to enhance the contribution.

The pack comprises:

- the Cabinet minute of decision: *Mandate Renewal for New Zealand's Longstanding Maritime Security Commitments in the Middle East [FPS-24-MIN-0011]*
- the Cabinet paper: *Mandate Renewal for New Zealand's Longstanding Maritime Security Commitments in the Middle East [FPS-24-SUB-0011]*.

Certain information is withheld, where the making available of the 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(a)]
- the entrusting of information to the Government of New Zealand on a basis on confidence by the Government of any other country or any agency of such a Government [section 6(b)(i)]
- the entrusting of information to the Government of New Zealand on a basis on confidence by any international organisation [section 6(b)(ii)]

In addition, certain information has been withheld in order to:

- maintain the constitutional conventions for the timing being which protect the confidentiality of advice tendered by Ministers of the Crown and officials [section 9(2)(f)(iv)]
- 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 department or organisation in the course of their duty [section 9(2)(g)(i)]

Where information is withheld pursuant to section 9(2), it is not considered that the public interest in this information outweighs the need to protect it.

Information about making an Official Information Act request to the Ministry of Defence is available from [this page](#).



Cabinet Foreign Policy and National Security Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Mandate Renewal for New Zealand's Longstanding Maritime Security Commitments in the Middle East

Portfolios Foreign Affairs / Defence

On 7 May 2024, the Cabinet Foreign Policy and National Security Committee:

Background

- 1 **noted** that it is in New Zealand's interest to contribute to Middle East maritime security through a variety of coalitions;
- 2 **noted** that:
 - 2.1 there are a number of deployments soon to be considered by Cabinet that will have a financial impact in the 2024/25 financial year;
 - 2.2 sufficient baseline funding will remain to maintain New Zealand's contributions to international peacekeeping missions and to maintain our personnel contributions to Indo-Pacific security, following the decisions in paragraphs 7, 9 and 14;
 - 2.3 s9(2)(f)(iv)

Supporting maritime security in the Middle East

- 3 **agreed** to the three strategic objectives for the deployment, as outlined in the submission under FPS-24-SUB-0011;
- 4 **agreed** to extend the current mandate for the deployment to support maritime security in the Middle East until 30 June 2026, with the Chief of Defence Force authorised to approve up to 20 personnel in roles within the Middle East Maritime Security Commands, if these roles are in line with existing policy settings;
- 5 **authorised** the Prime Minister, Minister of Foreign Affairs, and Minister of Defence (the Ministers with Powers to Act) to consider additional opportunities for NZDF personnel to deploy in roles within the Middle East Maritime Security Commands, if these roles would have policy, political, or reputational considerations;

6 **noted** that the total estimated cost of continuing current support to maritime security in the Middle East is \$2.187 million in the 2024/25 financial year and \$2.187 million in the 2025/26 financial year, and can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand’s Security, Stability and Interests Multi-Category Appropriation (the Vote Defence Force MCA);

Combined Task Force 150 Command Team

7 **agreed** to deploy an NZDF Combined Maritime Forces Combined Task Force 150 Command Team of up to 23 personnel, from January 2025 to 30 July 2025;

8 **noted** that the total estimated cost of the decision in paragraph 7 is \$1.784 million in the 2024/25 financial year and \$0.260 million in the 2025/26 financial year, and can be funded within the existing unallocated baseline for the Vote Defence Force MCA;

ANZAC Class frigate

9 **agreed** to deploy an NZDF ANZAC Class frigate to support the Combined Task Force Command Team in the Combined Maritime Forces, for two months between January and June 2025;

10 [Redacted] s6(a)

11 [Redacted] s6(a)

12 **noted** that the total estimated cost of the decision in paragraph 9 is \$3.842 million in the 2024/25 financial year, and can be funded within the existing unallocated baseline for the Vote Defence Force MCA;

13 **noted** that the decision in paragraph 9 is estimated to increase the value of the veterans’ support entitlement by [Redacted] s6(a) million in 2024/25, which can be funded within the existing unallocated baseline for Vote Defence Force Non-Departmental Other Expenses: Service Cost – Veterans’ Entitlements;

Mine Countermeasure Task Unit

14 **agreed** to deploy a Mine Countermeasure Task Unit of up to 18 personnel for one six-month period from May 2025 to June 2026;

15 **noted** the total estimated cost of the decision in paragraph 14 is \$0.270 million in the 2024/25 financial year and \$2.007 million in the 2025/26 financial year, and can be funded within the existing unallocated baseline for the Vote Defence Force MCA;

16 **noted** that the decision in paragraph 14 is estimated to increase the value of the veterans’ support entitlement by [Redacted] s6(a), which can be funded within the existing unallocated baseline for Vote Defence Force Non-Departmental Other Expenses: Service Cost – Veterans’ Entitlements.

Jenny Vickers
Committee Secretary

Attendance: (see over)

Present:

Rt Hon Christopher Luxon
Rt Hon Winston Peters (Chair)
Hon David Seymour
Hon Nicola Willis
Hon Judith Collins
Hon Mark Mitchell
Hon Todd McClay

Officials present from:

Office of the Prime Minister
Office of the Chair of FPS
Officials Committee for FPS
New Zealand Defence Force
Ministry of Defence

Released by the Minister of Defence

Chair, Foreign Policy and National Security Committee

MANDATE RENEWAL FOR NEW ZEALAND'S LONGSTANDING MARITIME SECURITY COMMITMENTS IN THE MIDDLE EAST

Proposal

1. To seek Cabinet agreement on the future of the New Zealand Defence Force's maritime security commitments in the Middle East until 30 June 2026, including options to enhance the contribution.

Relation to Government Priorities

2. A proportionate contribution to maritime security in the Middle East would be in line with Defence policy and strategy settings by addressing core national security issues, including challenges to the rules-based international system and transnational organised crime. It would also support working together with likeminded partners, a priority outlined in the *National Security Strategy 2023-2028* (NSS).

Executive Summary

3. New Zealand has contributed to international efforts to improve maritime security in the Middle East since the mid-1990s. We currently deploy up to 20 New Zealand Defence Force (NZDF) personnel to several regional coalitions and commands s6(a) of these personnel are authorised under this current mandate¹. We recommend that Cabinet, as a minimum, agree to maintain the current mandate to support maritime security in the Middle East with a NZDF contribution until 30 June 2026, with a small increase of up to s6(a) personnel (Option 1).

4. In addition, Cabinet is asked to consider enhancing this contribution through deploying all or some of the following options, in order of preference:

Enhance Options	
Option 2 a)	Combined Task Force 150 Command Team;
Option 2 b)	A frigate to conduct Maritime Security Operations while supporting the proposed NZDF Command Team; and
Option 2 c)	A Mine Countermeasure Task Unit.

5. Enhancing New Zealand's contribution would respond to the recent deterioration of maritime security in the Middle East, s6(a), s6(b)(i). Any of the proposed contributions would support New Zealand's long standing commitment to collective security efforts s6(a), s9(2)(g)(i).

The proposed contributions would also support the NZDF's own regeneration through the provision of unique but essential operational experience.

¹ The other six NZDF personnel are deployed under the NZDF contribution to the US-led coalition conducting strikes on Houthi military targets.

6. [Redacted] s6(a)

7. An enhanced contribution can be funded from within NZDF baselines. s9(2)(g)(i)
[Redacted] s9(2)(i)(iv)

8. Following Cabinet's decision, officials will advise partners and prepare to adjust the NZDF operational footprint accordingly. A press release will also be prepared for Ministers' consideration.

Context

It is in New Zealand's interest to contribute to Middle East Maritime Security

9. The Middle East contains some of the world's busiest maritime trade routes and chokepoints, which are subject to a number of threats. These include: transnational crime, including the smuggling of narcotics, people and weaponry; piracy; state and non-state actor aggressions; and the disruption of merchant shipping. Increasingly, traffickers are using Middle Eastern transshipment infrastructure, and commercial maritime routes, to ship illicit goods to New Zealand and the Pacific.

10. Given our isolation and reliance on maritime commerce, New Zealand has a clear interest in contributing to collective maritime security efforts in the Middle East and protecting the international rules-based system. This is reflected in defence policy and strategy settings and the NSS. The security of these sea lanes is important to New Zealand. A large proportion of our trade either transits through or originates from the Middle East region, including around 75 percent of our oil imports.

11. The Middle East maritime domain has, for many years, been destabilised by periodic provocative actions that perpetuate instability across the region. s6(a)
[Redacted] s6(b)(i)

12. The proposed contributions would support the Government's priority that the NZDF attract, retain and develop a skilled, sustainable and diverse workforce by deploying new and upgraded major assets to a challenging multinational operation that is in our interests.

13. The contributions would also enhance the NZDF's awareness of and access regarding emerging maritime technologies. This includes autonomous capabilities, which

² [Redacted] s6(a)

³ Including United Nations sanctions monitoring of North Korea and security and stability efforts on the Korean peninsula.

support the identification and potential procurement of technologies for the NZDF naval fleet renewal programme.

Multinational coalitions in the region

14. New Zealand has a long history of committing personnel and platforms to the following commands and multinational coalitions, which have safeguarded Middle East maritime trading lanes, reduced piracy and disrupted transnational crime for decades:

Military Coalition	Description
US Naval Forces Central Command (USNAVCENT):	Based in Bahrain, USNAVCENT includes nine discrete Task Forces, including Task Force 52, which oversee and coordinate the range of maritime security operations undertaken by the US.
Combined Maritime Forces (CMF):	Co-located with USNAVCENT, CMF is the world's largest multinational naval partnership comprising of 39 contributing countries ⁴ and has five subsidiary task forces ⁵ (Combined Task Forces 150, 151, 152, 153 and 154). CMF coordinates training and activities to counter smuggling, piracy and terrorism across a maritime area of 3.2 million square miles.
United Kingdom Maritime Component Command (UKMCC):	Based in Bahrain, the UKMCC is the command centre for the United Kingdom's (UK) longstanding maritime presence in the Middle East.
UK Maritime Trade Organisation (UKMTO):	Operating from the United Arab Emirates (UAE), the UKMTO acts as a conduit between commercial shipping vessels and military maritime forces and provides counter-piracy advice to vessels transiting the Middle East.



Previous New Zealand contributions have proven effective

15. New Zealand's previous contributions to these Middle East maritime security commands and coalitions have been effective and produced concrete outcomes. When the NZDF last commanded CMF's Combined Task Force (CTF) 150 in 2021, it oversaw the seizure of over USD\$7M of narcotics destined to fund illicit, illegal activity. The NZDF has also provided value to regional coalitions by building capacity with CMF partner nations.

16. The NZDF's commitments to Middle East maritime security provide opportunities to maintain interoperability with a wide range of countries and offer operational experience in a congested and contested maritime area.

⁴ The 39 CMF Members are as follows: Australia; Bahrain; Belgium; Brazil; Canada; Denmark; Djibouti; Egypt; France; Germany; Greece; India; Iraq; Italy; Japan; Jordan; Kenya; Republic of Korea; Kuwait; Malaysia; the Netherlands; New Zealand; Norway; Oman; Pakistan; the Philippines; Portugal; Qatar; Saudi Arabia; Seychelles; Singapore; Spain; Thailand; Türkiye, UAE; UK; US and Yemen.

⁵ CTF 150 is responsible for Maritime Security Operations in the Gulf of Oman and the Indian Ocean. CTF 151 is responsible for Counter Piracy in and around the Horn of Africa. CTF 152 is responsible for Maritime Security Operations in the Arabian Gulf. CTF 153 is responsible for Maritime Security Operations in the Red Sea and CTF 154 is a task force responsible for providing training to the other four CTFs.

Future challenges and opportunities for the maritime coalitions

17. New Zealand has not contributed a platform to support the CMF since 2018, primarily due to: frigate upgrades; the introduction into service of the P-8A Poseidon aircraft; and the prioritisation of our near region. A range of NZDF platforms are returning to appropriate operational readiness

s6(a)

s6(a), s9(2)(g)(i)

19. In November 2023, maritime security in the Red Sea rapidly deteriorated due to Houthi attacks and hijackings against international commercial shipping vessels. The CMF and the US responded with military operations to defend and prevent Houthi attacks respectively. New Zealand has announced NZDF personnel contributions to both the US-led coalition conducting strikes on Houthi military targets and the CMF's Operation PROSPERITY GUARDIAN (OPG).

Proposed Strategic Objectives – what New Zealand seeks to achieve

20. Officials have proposed the following strategic objectives for any New Zealand military contributions to maritime security in the Middle East agreed pursuant to this paper:

- 20.1. New Zealand contributes to coalition efforts to uphold the security of maritime transport routes in the Middle East, to protect trading routes on which New Zealand relies;
- 20.2. New Zealand demonstrates its commitment to addressing piracy, terrorism and smuggling through military contributions, and leadership, within maritime security coalitions, thereby strengthening relationships with likeminded security partners; and
- 20.3. The NZDF enhances its operational utility at home and in our near region by applying the operational experience gained in the Middle East region once personnel and capabilities successfully return from the deployment.

21. This paper proposes several options by which to achieve these objectives. These options have all been measured against the following criteria: interests, values, and priorities; partnerships; and capability and operational factors.

Option 1: Continue longstanding support to Maritime Security in the Middle East with a small increase in personnel (Recommended)

22. This option, which is the minimum recommended, involves extending the current mandate for our contributions within established coalitions for two years until June 2026, excluding New Zealand's contribution to the US-led coalition conducting strikes on Houthi military targets [CAB-21-MIN-0539]. A small increase in the number of mandated personnel ^{s6(a)} is proposed to allow the NZDF to respond to increased demand for personnel in CMF, due to the establishment of OPG.

23. Additional opportunities for NZDF contributions can emerge at short notice. We seek Cabinet approval to authorise the Chief of Defence Force to deploy up to 20 personnel across any of the Middle East Maritime Security Commands and Coalitions (USNAVCENT,

CMF, UKMCC, UKMTO, s6(a), and their subordinate task forces (such as the aforementioned CTF 150) if the identified roles are in line with existing policy settings. If, however, identified roles may have policy, political or reputational implications, we seek Cabinet approval to authorise Ministers with Powers to Act (the Prime Minister, Minister of Foreign Affairs and Minister of Defence) to approve the deployment of NZDF personnel contributions to these roles.

Proposed Commitment	Personnel/Capability	Duration	Cost
Extend the current deployment with a small increase in personnel	Chief of Defence Force delegated authority to deploy up to 20 personnel to roles within USNAVCENT, CMF, UKMCC, UKMTO, and s6(a) if these roles are in line with existing policy settings; with Ministers with Powers to Act delegated authority to consider these deployment opportunities if they have policy, political or reputational implications.	June 2024 to June 2026	Up to \$4.374M

Summary of benefits to continuing the current deployment

24. This option would be strongly aligned with New Zealand’s interests, values and priorities. It would also provide some limited benefits for the NZDF’s partnerships with other militaries also deployed within the CMF. Finally, it offers significant capability and operational benefits for the NZDF s6(a)

25. This proposed option would not affect New Zealand’s ability to respond to a contingency event in the Pacific.

26. The authorisations for the Chief of Defence Force and Ministers with Powers to Act allow the NZDF to respond to short-notice requests, rotational roles and other opportunities. s9(2)(g)(i)

Risks to continuing the current deployment

27. Officials have not identified any notable risks associated with this proposed option.

Option 2: Enhance support to maritime security in the Middle East (Recommended)

28. In addition to extending and increasing the current deployment through Option 1, Cabinet is also asked to consider enhancing New Zealand’s support through all or some of the following options. These enhance options are able to be undertaken independently of one another and are listed in order of priority.

29. None of these proposed options would specifically contribute to Red Sea maritime security. Rather, they would support the CMF and enduring maritime security in the Middle East more broadly s6(a), s6(b)(i)

30. Enhancing this deployment would allow the NZDF to: increase its understanding of strategic and operating environments; enhance its relationships and interoperability with partners; and protect New Zealand’s interests.

(a) Deploy a Combined Task Force 150 Command Team (Recommended)

31. CTF150 is the CMF’s counter terrorism, anti-smuggling and counter illegal, unregulated and unreported fishing task force in the Middle East. A six-month period commanding this task force would enable the NZDF to exercise command of over 30 countries who are contributing to maritime security operations in the Gulf of Oman and the Indian Ocean.

32. [Redacted] s6(a), s6(b)(i)

Proposed Commitment	Personnel/Capability	Duration	Cost
CTF150 Command Team	Up to 23 personnel	January 2025 to July 2025	\$2.044M

Benefits of deploying a CTF 150 Command Team

33. The contribution of a Command Team would be strongly aligned with New Zealand’s interests, values and priorities, [Redacted] s6(a), s9(2)(d)(i). There is also a strong operational case for this option, including NZDF naval personnel retention, especially as it presents a rare opportunity for the NZDF to command coalition maritime operations. This option is also low cost compared to the other enhance options.

34. This proposed option would not affect New Zealand’s ability to respond to a contingency event in the Pacific.

Risks of deploying a CTF150 Command Team

[Redacted] s6(b)(ii), s9(2)(g)(i)

(b) Deploy a frigate to support the proposed NZDF command team (Recommended)

36. One of New Zealand’s two ANZAC Class frigates will be available for deployment in support of the CMF in 2025. This proposed frigate deployment is intended to occur within the same period as New Zealand’s proposed CMF CTF150 Command Team deployment (Option 2 (a)), so [Redacted] s6(b)(i) enhance the benefits of both deployments. NZDF command and control would allow the frigate to respond more rapidly than other partner assets to time-sensitive situations. These two options, however, can be selected independently of one another should Cabinet prefer.

37. The frigate would primarily participate in CMF operations to counter smuggling, piracy and terrorism. It would conduct a broad variety of operational tasks, such as: ensuring freedom of movement of commercial shipping; intercepting, boarding and inspecting potential illegitimate vessels; seizing cargo and vessels conducting illicit activities; and reporting violations and illicit activities through the CMF headquarters.

38. [Redacted] s6(a)

s6(a)

Proposed Commitment	Personnel/Capability	Duration	Cost
ANZAC Class frigate	1 x ANZAC Class frigate; 1 x embarked helicopter; and s6(a) personnel (approximately)	A two month period between January and June 2025	\$3.842M

Benefits of deploying an ANZAC Class Frigate

39. This option is largely aligned with New Zealand's interests, values and priorities. It would afford New Zealand diplomatic opportunities with partners. There is also strong rationale to deploy the frigate to build operational experience and test new capability, especially whilst the NZDF is in a period of regeneration. If this option were selected in conjunction with the CTF150 Command Team, it would increase the benefits of the collective deployment beyond that which would be achieved individually

s6(a), s6(b)(i)

Risks of deploying an ANZAC Class Frigate

s6(a)

43. Officials assess that the advantages of this option outweigh the risks.

(c) Deploy a Mine Countermeasure Task Unit (Recommended)

44. s6(a), s6(b)(i)

45. The Mine Countermeasures Task Unit would monitor critical surface and subsurface sea lanes, identify mine threats and neutralise the threat through safe and controlled means. It would also conduct a range of training s6(a), s6(b)(i)

. This unit could deploy across the full CMF area of operations, including the Red Sea.

⁶ Exercise Talisman Sabre is an annual Australian-led and hosted exercise.

Proposed Commitment	Personnel/Capability	Duration	Cost
Mine Countermeasures Task Unit	18 x personnel equipped with [redacted] s6(a)	One deployment of up to six months between May 2025 and June 2026	\$2.277M

Benefits of deploying a Mine Countermeasures Task Unit

46. This option is largely aligned with New Zealand’s interests, values and priorities. It would be of significant benefit to the NZDF’s relationship with US Central Command, given we are responding to their request. There are several operational and capability benefits, including: interoperability with the US, the opportunity to develop experience in a new capability; and demonstrate the NZDF’s value proposition in niche areas.

47. This proposed deployment would not affect any planned operations or the NZDF’s ability to respond to a security contingency in the Pacific region.

Risks of deploying a Mine Countermeasures Task Unit

48. [redacted] s6(a), s9(2)(g)(i) [redacted] officials assess that the advantages of this option outweigh the cost consideration.

Option 3: Withdraw support to maritime security in the Middle East (Not Recommended)

49. Should Cabinet elect not to proceed with any of the proposed contributions, it is proposed that the current mandate for [redacted] s6(a) personnel be extended by three months to enable the NZDF to withdraw personnel from CMF headquarters and from consideration for rotational roles with standard notice. [redacted] s6(a), s6(b)(i)

Benefits associated with a withdrawal

50. From an operational and capability perspective, this option would produce no benefit for the NZDF other than to save costs associated with the deployment.

Risks associated with a withdrawal

[redacted] s6(a), s6(b)(i), s9(2)(g)(i)

52. Officials assess that the risk of this option significantly outweigh the benefits.

Threat Assessment

53. New Zealand Defence Intelligence assesses the unmitigated overall threat to NZDF personnel deployed or operating in:

Country/Area	Unmitigated overall threat
s6(a)	s6(a)
Bahrain s6(a)	
Maritime and Air threat in the Persian Gulf and Gulf of Oman	
Maritime and Air threat in the Red Sea, Gulf of Aden, Horn of Africa, East of Africa	

54. The NZDF assess these risks can be acceptably mitigated through a combination of highly trained personnel operating state of the art self-defence equipment. However, the primary mitigation is through access to robust indicators and warnings from Coalition partners to allow units and personnel to position themselves accordingly.

Financial Implications

Option 1: Continue current support to maritime security in the Middle East until 30 June 2026 (Recommended)

55. The recommended option to extend current support with an increase in the number of mandated personnel s6(a) to contribute to Middle East maritime security efforts under this mandate is estimated to cost \$2.187 million in 2024/25 and \$2.187 million in 2025/26. This option can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA, and no additional funding is required. This is summarised in the following table:

	\$ million	
	2024/25	2025/26
Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA		
Option 1: Extend the mandate until to 30 June 2026 for up to 20 personnel	2.187	2.187
Total	2.187	2.187

56. This deployment is not declared to be "qualifying operational service" under the Veterans' Support Act. There is no impact on the veterans' support entitlement obligation.

Option 2: Expand current support to maritime security in the Middle East (Recommended)

57. The recommended option to enhance the deployment through a CTF Command Team for a six month period, an ANZAC Class frigate for a two month period, and a Mine Countermeasures Task Unit for a six month period, is estimated to cost \$5.896 million in 2024/25 and \$2.267 million in 2025/26.

58. This option can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA, and no additional funding is required. This is summarised in the following table:

	\$ million	
	2024/25	2025/26
Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA		
Option 2: Enhance through the deployment of a:		
(a) CTF 150 Command Team; and/or	1.784	0.260
(b) ANZAC Class frigate; and/or	3.842	0.000
(c) Mine Countermeasure Task Unit	0.270	2.007
Total	5.896	2.267

59. [redacted] s6(a) [redacted] If an enhance option in this paper is selected, sufficient baseline funding would remain to maintain New Zealand's contributions to international peacekeeping missions and to maintain our personnel contributions to Indo-Pacific security. s9(2)(f)(iv) [redacted]

60. [redacted] s6(a) [redacted]

61. [redacted] s6(a) [redacted] On this basis, NZDF will make recommendations to the Minister of Veterans' Affairs to declare these options as 'qualifying operational service' under the Veterans Support Act. The financial impact on the veterans' support entitlement [redacted] These will be funded within the existing unallocated Vote Defence Force appropriation Service Cost – Veterans' Entitlement.

Option 3: Withdraw Support (Not Recommended)

62. Option 3 has no financial implications.

Legal Considerations

63. **Legal framework for activities.** Maritime security operations undertaken by CMF, UKMTO, UKMCC, USNAVCENT [redacted] s6(a) [redacted] are consistent with the United Nations Convention on the Law of the Sea (UNCLOS) and carried out in accordance with international legal frameworks, including the UN Drugs Trafficking Convention, the UN Migrant Smuggling Protocol and relevant UN Security Council Resolutions (UNSCR).⁸

[redacted] s6(a) [redacted]

⁸ UNCLOS obliges States to cooperate in the repression of piracy and drug trafficking, and can be relied upon for authority to conduct mine countermeasure operations in international straits. UNSCR 2482 (2019) identifies the link between international terrorism and organised crime, and calls upon States to strengthen efforts to counter the threat posed by illicit cultivation, production, trafficking and consumption

64. **Legal basis for presence.**

s9(2)(h)

65. **Civilian harm.** The likelihood of involvement in any action leading to civilian harm is unlikely. NZDF personnel will be directed to report any observed incidents of civilian harm. Reporting requirements will follow those in Defence Force Order 35.

66.

s6(a)

67.

s6(a)

68. **Human rights risk assessment (HRRRA).** New Zealand is obligated under international law to not aid or assist (or be complicit in) an internationally wrongful act by another State, such as acts of torture.

s9(2)(h)

The NZDF has conducted an HRRRA on all the options proposed in this paper.

69. After considering mitigations, the NZDF found there was a **negligible likelihood** of causing or contributing to a human rights breach.¹⁰ Should other contributions be approved throughout the mandate then additional assessments would be completed. Ministers with Powers to Act would be notified should there be more than a negligible likelihood of causing or contributing to a human rights breach.

70. **Health and Safety.** Activities conducted by NZDF personnel in the course of this deployment are 'Operational Activities' for the purposes of the Health and Safety Act 2015, and the Act does not apply to any member of the NZDF while carrying out their duties. Members of the Armed Forces are at all times subject to the Armed Forces Discipline Act 1971.

Consultation

71. This paper was jointly prepared by the Ministry of Defence, the NZDF and the Ministry of Foreign Affairs and Trade. The Department of the Prime Minister and Cabinet (National Security Group and Policy Advisory Group), the New Zealand Security Intelligence

of narcotics. UNSCR 2216 (2015) addresses the conflict in Yemen and calls on States to take necessary measures to prevent the illicit transfer of arms, ammunition and military equipment to Yemen, including the inspection of sea-bound cargo, and was reaffirmed by UNSCR 2675 (2023). Anti-piracy activities off the coast of Somalia, such as those undertaken by CMF s6(a), are explicitly authorised by UNSCR 2608 (2021).

⁹ The *New Zealand Policy Framework for the humane treatment of detainees in offshore deployments* applies in respect of all detainees during international military operations.

¹⁰ There is a negligible likelihood of a human rights breach as there is no general possibility the interaction could contribute to a breach of human rights.

Service, the Government Communications Security Bureau, the Treasury and the National Assessments Bureau were consulted.

Recommendations

The Ministers of Defence and Foreign Affairs recommended that the Committee:

1. **Note** that it is in New Zealand's interest to contribute to Middle East maritime security through a variety of coalitions.
2. **Note** that there are a number of deployments soon to be considered by Cabinet that will have a financial impact in Financial Year 2024/25. If an enhance option in this paper is selected, sufficient baseline funding would remain to maintain New Zealand's contributions to international peacekeeping missions and to maintain our personnel contributions to Indo-Pacific security. s9(2)(f)(iv)

Option 1 (recommended)

3. **Agree** to Option 1: Continue current support to maritime security in the Middle East.
 - 3.1. **Agree** to the three proposed strategic objectives for the deployment.
 - 3.2. **Agree** to extend the current mandate for this deployment until 30 June 2026, with the Chief of Defence Force authorised to approve up to 20 personnel in roles within the Middle East Maritime Security Commands, if these roles are in line with existing policy settings.
 - 3.3. **Authorise** Ministers with Powers to Act (the Prime Minister, Minister of Foreign Affairs and Minister of Defence) to consider additional opportunities for New Zealand Defence Force personnel to deploy in roles within the Middle East Maritime Security Commands, if these roles would have policy, political or reputational considerations.
 - 3.4. **Note** the total estimated cost is \$2.187 million in financial year 2024/25 and \$2.187 million in financial year 2025/26 and can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA.

Option 2 (recommended in addition to Option 1)

4. **Agree** to Option 2: Enhance support to maritime security in the Middle East through any number of the following options.

Option 2 (a)

- 4.1. **Agree** to deploy a New Zealand Defence Force Combined Maritime Forces Combined Task Force 150 Command Team of up to 23 personnel from January 2025 to 30 July 2025.
 - 4.1.1. **Note** the total estimated cost of this option is \$1.784 million in financial year 2024/25 and \$0.260 million in financial year 2025/26 and can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA.

Option 2(b)

4.2. **Agree** to deploy a New Zealand Defence Force ANZAC Class frigate to support the proposed Combined Task Force Command Team in the Combined Maritime Forces for two months between January and June 2025.

4.2.1. [Redacted] s6(a)

4.2.2. [Redacted] s6(a)

4.2.3. **Note** the total estimated cost of the deployment is \$3.842 million in financial year 2024/25 and can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA.

4.2.4. **Note** this option is estimated to increase the value of veterans' support entitlement by [Redacted] s6(a) million in 2024/25. This can be funded within the existing unallocated baseline for Vote Defence Force Non-Departmental Other Expenses: Service Cost – Veterans' Entitlements.

Option 2(c)

4.3. **Agree** to deploy a Mine Countermeasure Task Unit of up to 18 personnel for one six month period from May 2025 to June 2026.

4.3.1. **Note** the total estimated cost of the deployment is \$0.270 million in financial year 2024/25 and \$2.007 million in financial year 2025/26 and can be funded within the existing unallocated baseline for Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA.

4.3.2. **Note** this option is estimated to increase the value of veterans' support entitlement by [Redacted] s6(a). This can be funded within the existing unallocated baseline for Vote Defence Force Non-Departmental Other Expenses: Service Cost – Veterans' Entitlements.

Option 3 (not recommended)

5. **Agree** to Option 3: Withdraw support to maritime security in the Middle East by 30 June 2024.

5.1. **Note** this option has no financial implications.

Authorised for lodgement

Rt Hon Winston Peters
Minister of Foreign Affairs

Hon Judith Collins KC
Minister of Defence

Enclosed:

Annex A: NZDF Output 5 Financial Forecast.

s6(a), s9(2)(f)(iv)

Released by the Minister of Defence