

HON JUDITH COLLINS KC, MINISTER OF DEFENCE

FUTURE MANDATE OPTIONS FOR THE NEW ZEALAND DEFENCE FORCE'S DEPLOYMENT TO THE UNITED NATIONS TRUCE SUPERVISION ORGANISATION

August 2024

This publication provides documents on Cabinet's 7 May 2024 decisions to renew the mandate for the New Zealand Defence Force's Deployment to the United Nations Truce Supervision Organisation (UNTSO).

The pack comprises the following documents:

- the redacted Cabinet minute of decision: *Future Mandate Options for the New Zealand Defence Force's Deployment to the United Nations Truce Supervision Organisation* [FPS-24-MIN-0008]
- the redacted Cabinet paper: *Future Mandate Options for the New Zealand Defence Force's Deployment to the United Nations Truce Supervision Organisation* [FPS-24-SUB-0008]

This pack has been released on the Ministry of Defence website, available at: www.defence.govt.nz/publications/future-mandate-options-for-the-new-zealand-defence-force-deployment-to-the-united-nations-truce-supervision-organisation/

It has been necessary to withhold certain information in accordance with the following provisions of the Official Information Act 1982. Where information is withheld, the relevant sections of the Act are indicated in the body of the document. Where information has been withheld in accordance with section 9(2) of the Act, no public interest has been identified that would outweigh the reasons for withholding it.

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 the basis of confidence by the Government of any other country [section 6(b)(i)].

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)]
- the maintain legal professional privilege [s9(2)(h)]



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.

Future Mandate Options for the New Zealand Defence Force's Deployment to the United Nations Truce Supervision Organisation

Portfolios Foreign Affairs / Defence

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

- 1 **noted** that in March 2022, the previous government agreed to extend to September 2024 the mandate for the eight-person contingent to the United Nations Truce Supervision Organisation mission in the Lebanon/Syria/Israel border regions, to which New Zealand has contributed since 1954 [ERS-22-MIN-0009];
- 2 **noted** that continuing New Zealand’s commitment to the United Nations Truce Supervision Organisation mission would underline New Zealand’s reputation as a trusted, reliable and longstanding supporter of the United Nations and the international rules-based system, and would provide a means of developing New Zealand Defence Force (NZDF) partnerships and operational experience and skills which are applicable in the Indo-Pacific and more widely;
- 3 **noted** that the overall threat assessment for the United Nations Truce Supervision Organisation mission is s6(a);
- 4 **agreed** to renew the mandate for the eight-person contingent to the United Nations Truce Supervision Organisation mission for a further two years, until 30 September 2026;
- 5 **agreed** to the strategic objectives for this deployment, as outlined in the submission under FPS-24-SUB-0008;
- 6 **noted** that the total estimated cost of maintaining the mandate for two years from 1 October 2024 to 30 September 2026 is assessed as \$2.216 million, which is able to be met within the existing baseline for ‘Vote Defence Force: Operations Contributing to New Zealand’s Security, Stability and Interests MCA’;
- 7 s6(a)
- 8 s6(a)

Jenny Vickers
Committee Secretary

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

FUTURE MANDATE OPTIONS FOR THE NEW ZEALAND DEFENCE FORCE'S DEPLOYMENT TO THE UNITED NATIONS TRUCE SUPERVISION ORGANISATION

Proposal

1. This paper provides advice and seeks a Cabinet decision on the future of the New Zealand Defence Force's (NZDF) deployment to the United Nations Truce Supervision Organisation (UNTSO) in the Lebanon/Israel/Syria border regions.

Relation to Government Priorities

2. The relationship to Government priorities is addressed in the covering note: Strategic Assessment of Future Peace Support Options for the New Zealand Defence Force.

Executive Summary

3. This Cabinet paper recommends that Cabinet maintains and renews the current deployment of eight NZDF personnel to UNTSO for a further two years to September 2026. This renewal would be at an estimated cost of \$0.829 million in 2024/25, \$1.108 million in 2025/26 and \$0.279 million in 2026/27.

4. This recommendation recognises the significant strategic benefits the operation provides to New Zealand, including demonstrating New Zealand's support for the international rules-based system, s6(a), s9(2)(g)(i)

5. The proposed deployment carries some risk to personnel deployed on the mission, stemming from the escalating security situation across the Middle East region, including the threats associated with operating within Lebanon and Syria. This requires robust monitoring and implementation of force protection measures for NZDF personnel. The recommended option would assist in mitigating these risks, by enabling the NZDF to reinforce its security by assigning a deployed person to UNTSO headquarters, to provide greater operational awareness and New Zealand influence over UNTSO's activities in the region.

6. The recommended option can be funded from within the existing unallocated baseline for "Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA".

7. Following Cabinet's decision, officials will advise partners. A press release will also be prepared.

Context

Background

8. The UNTSO mission is the United Nations' (UN) longest-running peacekeeping operation in the Israel, Egypt, Jordan, Syria and Lebanon border regions. A map of the Area of Operations is provided at Annex A. It is a particularly volatile time, with the Israel-Hamas conflict fuelling broader instability across the region and limited clashes between Lebanese Hezbollah and Israeli forces along the Israel/Lebanon border.

9. The NZDF has contributed to UNTSO since 1954. This mandate was last renewed in 2022 for up to eight personnel for a further two years through to 30 September 2024 [ERS-22-MIN-0009 refers].

Strategic case for the deployment

10. The strategic benefits of contributing to UNTSO are:
 - 10.1. making a tangible contribution to the international rules-based system, with a particular focus on the Middle East as a region whose instability and tensions have far-reaching consequences;
 - 10.2. showing our support for the UN system and a proven successful mission;
 - 10.3. gaining improved situational awareness in the Middle East, including by gaining on-the-ground understanding of key developments in Middle East regional security at a critical time for the region;
 - 10.4. collaborating with key partners s6(a), s9(2)(g)(i)
 - 10.5. the provision of operational experience for NZDF personnel

Strategic objectives

11. In line with the strategic case for the deployment, it is proposed that the future strategic objectives for the NZDF’s contribution to UNTSO be:
 - 11.1. to maintain New Zealand’s credibility as a contributor to the UN and supporter of the international rules-based system by making a contribution to the maintenance of peace and security in a region which has recently seen an escalation in tensions;
 - 11.2. to reinforce relationships with key partners s6(a), s9(2)(g)(i)
 - 11.3. to provide NZDF personnel from a wide range of ranks and trades across the three Services with exposure to operations in a challenging and austere environment, and to experiences which would see them better equipped to deal with humanitarian, stability and security challenges arising in the Indo-Pacific.
12. Options to meet these objectives are proposed below.

Option 1: Maintain and renew New Zealand’s commitment (Recommended)

Proposed Commitment	Personnel/Capability	Duration	Cost
Maintain current personnel deployment s6(a)	Renew the mandate for eight personnel	October 2024 to September 2026	Up to \$2.216M

13. Eight personnel is assessed as the minimum viable New Zealand contribution given the need to:
 - 13.1. Respond to a potential UN requirement for the New Zealand contingent to be spread over a wide geographical area, s6(a)

13.2. Use twin-share accommodation (even while doing separate tasking) as a means to mitigate against welfare and wellbeing risks s6(a)

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

s9(2)(f)(iv)

15. s6(a), s9(2)(f)(iv), s9(2)(g)(i)

Risks

16. New Zealand Defence Intelligence assesses the unmitigated overall threat to NZDF personnel deployed on the Lebanon/Syria/Israel border as s6(a)

17. NZDF personnel are trained and equipped to manage routine risks to an operation. However, the region's security situation is volatile, and the threats of operating within Lebanon require robust monitoring of force protection measures for NZDF personnel serving in UNTSO.

18. s9(2)(f)(iv)

19. The benefits of this mission, as noted in paragraph 10, are assessed by officials to outweigh these risks, and so this option is recommended.

Option 2: Withdraw (Not recommended)

20. This option proposes a complete NZDF withdrawal from UNTSO.

Benefits & Risks

21. This option would release funds otherwise committed to the UNTSO deployment. Withdrawal would, however, leave New Zealand without an alternative peace support deployment that delivers the same benefits, as shown in the attached covering note.

s9(2)(g)(i)

22. Financial Implications

Option One: Maintain and renew New Zealand's commitment (Recommended)

23. The option to renew the current mandate of up to eight personnel to UNTSO to September 2026 will cost an estimated \$0.829 million in 2024/25, \$1.108 million in 2025/26 and \$0.279 million in 2026/27. This option can be funded from within the existing unallocated baseline for "Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA", so no additional funding is required.

s9(2)(f)(iv)

An NZDF Output 5 financial forecast is attached at Annex B.

s6(a)

24. The Minister for Veterans has declared this deployment to be ‘qualifying operational service’ under the Act. The estimated impact to the veterans’ support entitlement obligation is \$0.732 million. These expenses can be funded within the existing unallocated baseline for “Vote Defence Force Non-Departmental Other Expenses: Service Cost – Veterans’ Entitlements”, so no additional funding is required. *Option Two: Withdraw (Not recommended)*

25. Option Two would save the amounts required for Option One.

Legal Considerations

26. *Legal framework for activities:* The legal framework for the activities and actions of UNTSO is established by the UN Security Council Resolution 50 (1948) and Resolution 73 (1949).² While on duty at UNTSO, NZDF personnel enjoy the status, privileges and immunities accorded to Experts on Mission. This includes immunity from detention and jurisdiction for acts done in the performance of the mission.

27. *Civilian harm:* The likelihood of NZDF personnel involvement in any action leading to civilian harm is very low. NZDF personnel are directed to report any incidents of civilian harm. Reporting requirements will follow those in Defence Force Order 35.

28. *Detainee handling:* Detainee handling is a very remote possibility. In the unlikely event that NZDF personnel are required to handle detainees, it will be carried out in accordance with the 2022 Detention Policy Framework. ^{s9(a)}

29. *Rules of engagement:* NZDF personnel are not armed on this mission. ^{s9(2)(h)}

30. *Human rights risk assessment:* There is a negligible likelihood of this deployment causing or contributing to a human rights breach. There is a negligible likelihood that interactions as part of the deployment could contribute to a breach of human rights. The UN is a standard bearer for human rights and therefore does not condone breaches of human rights as part of its missions.

Consultation

31. 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 Government Communications Security Bureau, the New Zealand Security Intelligence Service and the Treasury were consulted.

Recommendations

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

- 1. **Note** that in March 2022, Cabinet agreed to extend to September 2024 the mandate for the eight person contingent to the United Nations Truce Supervision Organisation mission in the Lebanon/Syria/Israel border regions, to which New Zealand has contributed since 1954 [ERS-22-MIN-0009 refers];

² UNTSO's role has changed as circumstances in the Middle East have changed following the conclusion of the armistice agreements in 1949 (UNSCR 73) and the renewed wars in 1956 (UNSCR 114), 1967 (UNSCR 236), and 1973 (UNSCR 340).

2. **Note** that continuing New Zealand's commitment to the United Nations Truce Supervision Organisation mission would underline New Zealand's reputation as a trusted, reliable and longstanding supporter of the United Nations and the international rules based system, and would provide a means of developing New Zealand Defence Force partnerships and operational experience and skills which are applicable in the Indo-Pacific and more widely;
3. **Note** that the overall threat assessment for the United Nations Truce Supervision Organisation mission is s6(a)
4. **Agree** to:

EITHER

Option One: Maintain and renew New Zealand's commitment (Recommended)

- 4.1. **Agree** to renew the mandate for the eight person contingent to the United Nations Truce Supervision Organisation mission for a further two years until 30 September 2026;
- 4.2. **Agree** to the proposed strategic objectives for this deployment;
- 4.3. **Note** that the total estimated cost of maintaining the mandate for two years from 1 October 2024 to 30 September 2026 is assessed as \$2.216 million, which is able to be met within the existing baseline for 'Vote Defence Force: Operations Contributing to New Zealand's Security, Stability and Interests MCA';

AND

s6(a)



OR

Option Two: Withdraw (Not Recommended)

- 4.7. **Approve** the withdrawal of the eight person contingent from the United Nations Truce Supervision Organisation mission by 30 September 2024;

AND

- 4.8. **Note** the associated risks with withdrawal to: the credibility of New Zealand's support for the international rules-based system; relationship benefits derived from this longstanding deployment; and skills and experience acquisition by the New Zealand Defence Force.

Authorised for lodgement

Rt Hon Winston Peters
MINISTER OF FOREIGN AFFAIRS

Hon Judith Collins KC
MINISTER OF DEFENCE

Annexes:

- A. Map of Area of Responsibility
- B. NZDF Output 5 Financial Forecast

ANNEX A: Map of Area of Responsibility

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

Released by the Minister of Defence

s9(2)(f)(iv)

Released by the Minister of Defence