

HON JUDITH COLLINS KC, MINISTER OF DEFENCE

NEW ZEALAND CONTRIBUTION TO NATO UKRAINE EFFORT: PARTICIPATION AND FINANCIAL ARRANGEMENT

December 2024

This publication provides the August 2024 briefing from the New Zealand Defence Force (NZDF), Ministry of Defence (MOD) and Ministry of Foreign Affairs and Trade (MFAT) to the Minister of Defence and the Minister of Foreign Affairs seeking approval for the Participation and Financial Arrangement for North Atlantic Treaty Organisation Security Assistance and Training for Ukraine.

The pack comprises the following submission:

- Briefing by the NZDF, MOD, and MFAT to the Minister of Defence and the Minister of Foreign Affairs: *New Zealand Contribution to NATO Ukraine Effort: Participation and Financial Arrangement*

This pack has been released on the Ministry of Defence website, available at: www.defence.govt.nz/publications/nz-contribution-to-nato-ukraine-effort-participation-and-financial-arrangement.

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.

Information is withheld where making it available 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 any international organisation [section 6(b)(ii)].

Information is also withheld in order to:

- 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)]
- maintain legal professional privilege [section 9(2)(h)]



15 August 2024

Minister of Foreign Affairs
Minister of Defence

NEW ZEALAND CONTRIBUTION TO NATO UKRAINE EFFORT: PARTICIPATION AND FINANCIAL ARRANGEMENT

Purpose

1. To seek your approval of the Participation and Financial Arrangement for North Atlantic Treaty Organisation Security Assistance and Training for Ukraine (NSATU). Approving this arrangement will give effect to your agreement in principle for New Zealand to contribute to NSATU, enabling New Zealand to continue to contribute logistics support to Ukraine.

Executive Summary

2. On 11 June, the Ministers of Defence and Foreign Affairs (with the Prime Minister's concurrence) agreed that New Zealand should respond favourably to a request from the North Atlantic Treaty Organisation (NATO) to participate in NSATU.¹ Officials advised that further information would be provided on the legal arrangements required to give effect to this participation.
3. This Submission recommends that Ministers approve the text of the draft non-binding Participation and Financial Arrangement for NATO Security Assistance and Training for Ukraine, to enable New Zealand Defence Force (NZDF) participation in NSATU. This will enable the NZDF to continue to contribute logistics support to Ukraine as authorised by Cabinet as part of New Zealand's existing deployments in support of Ukraine, known as Operation TĪEKE.²
4. Approving the Participation and Financial Arrangement – and consequently joining NSATU – will have notable benefits to our bilateral relationship with NATO and ensures continuity in our support to Ukraine. Risks of the arrangement are few.

s6(a)

¹ Ministerial Submission MoD 092-2024 NZDF 2024-182 New Zealand Assistance to Ukraine: Proposed Evolution of New Zealand Defence Force Deployment Approved in February 2024 refers.

² CAB-24-MIN-0040.

5. If Ministers approve the draft Participation and Financial Arrangement, officials will exchange finalised letters with NATO to bring the arrangement into effect. Officials anticipate that this will occur before NSATU begins operation [redacted] s6(b)(ii).

6. s9(2)(g)(i) [redacted]

Ministers have agreed to New Zealand's participation in NSATU

7. On 11 June, you agreed in principle (with the Prime Minister's concurrence) for New Zealand to contribute to NSATU. The NSATU is a NATO led effort which will assume some of the donor and training coordination functions of [redacted] s6(a) [redacted] a logistics node in Germany for coordinating the delivery of assistance from partners to Ukraine. Under the Operation TIEKE 2024/2025 deployment mandate, agreed by Cabinet in February, the NZDF currently contributes up to six personnel [redacted] s6(a) to support logistics functions. We do not anticipate that the transition to NATO Command will impact [redacted] s6(a) [redacted] the tasks currently carried out by NZDF personnel.

A Participation and Financial Arrangement is required to formalise participation

8. Officials understand that NATO intends to transition roles [redacted] s6(a) to NSATU from [redacted] s6(b)(ii) New Zealand's contribution to NSATU is contingent on the completion of the Participation and Financial Arrangement. The Participation and Financial Arrangement needs to be concluded ahead of the transition of our current roles to NSATU.
9. The Participation and Financial Arrangement with NATO will constitute a non-binding arrangement following an exchange of letters between the NATO Secretary General and New Zealand Ambassador to NATO. Copies of both letters that form the Participation and Financial Arrangement are annexed to this submission.
10. The letter from the NATO Secretary General outlines, amongst other details: New Zealand's proposed contribution to NSATU; the legal framework for NSATU Headquarters and personnel; financial responsibilities; supplemental planning documents; and the process for ending the contribution.
11. The arrangement notes that **New Zealand's proposed contribution** will consist of several personnel to serve on NSATU's staff element. NATO have confirmed that this contribution will be made up of the same NZDF personnel currently supporting logistics functions [redacted] s6(a). Contributing up to six personnel to these functions, as currently mandated under Operation TIEKE, will ensure continuity in the NZDF's presence in the central hub for coordinating international donations and training support to Ukraine.

s9(2)(h) [redacted]

s9(2)(h) [redacted]

13. In terms of **financial responsibilities**, the proposed arrangement outlines that New Zealand shall be responsible for all costs associated with our decision to contribute personnel to NSATU. The costs associated with our contribution will be covered by the funding for the Operation TĪEKE deployment approved by Cabinet in CAB-24-MIN-0040.
14. The proposed arrangement notes that information concerning NSATU's establishment, functions, and responsibilities are outlined in various **planning documents**. By approving the arrangement, New Zealand will be accepting the provisions in these documents, and committing to abide by them during the deployment. Defence officials have reviewed these documents and are comfortable that the proposed provisions are consistent with the scope and mission of the proposed NZDF contribution.
15. The arrangement would **cease to be in effect** if mutually determined by NATO and New Zealand; s6(a) after written notification of termination from either NATO or New Zealand; or on the conclusion of NSATU or any successor NATO operation, mission, or activity.
16. Of note, the arrangement outlines that New Zealand intends to maintain its participation in NSATU "for a period of at least six months".
17. The current Operation TĪEKE mandate commits six NZDF personnel s6(a) until 30 June 2025. If you were to approve the Participation and Financial Arrangement, the length of the existing Operation TĪEKE mandate would be sufficient to ensure that New Zealand would contribute to NSATU for at least six months, while also ensuring that notice of three months could be provided if Cabinet does not choose to extend this mandate.

Benefits and Risks

18. The benefits of contributing to NSATU, as outlined in the 5 June Ministerial Submission *New Zealand Assistance to Ukraine: Proposed Evolution of New Zealand Defence Force Deployment Approved in February 2024*, include: enabling the NZDF to continue to provide much needed logistical assistance in support of Ukraine's self-defence; strengthening our bilateral ties with NATO; and contributing towards delivering on the 'Operations Preparation and Training' goal under the recently agreed NATO-New Zealand Individually Tailored Partnership Programme.
19. Approving the Partnership and Financial Arrangement presents few risks. If New Zealand determined at a later date to cease support for NSATU, there may be reputational and optics risks that would need to be considered.

s6(a)

s6(a)

s6(a)

20. Consequently the risks are outweighed by the benefits associated with contributing to NSATU. On the basis of the opportunities presented above, you are asked to approve the Participation and Financial Arrangement with NATO.

Financial Considerations

21. There are no changes to the financial implications approved by Cabinet in [CAB 24 MIN 0040].

Next Steps and Public Communications

22. If Ministers approve the Participation and Financial Arrangement, officials will solicit a signed version of the letter from the NATO Secretary General. Upon receipt of this letter, New Zealand Ambassador to NATO, will respond with the enclosed response letter. On the date this response is sent the arrangement will come into effect.
23. Officials anticipate that this process will be completed in late August, ahead of NSATU's establishment s6(b)(ii). Officials will notify you of the arrangement's coming into effect through a weekly report entry.
24. Officials are in ongoing discussions with NATO about publicising New Zealand's contribution to NSATU. Further communications advice will be provided in due course.

Recommendations

25. It is recommended that you:

- a. **Note** that in February 2024, Cabinet approved the Operation TIEKE mandate for 2024/2025 which authorised up to six NZDF personnel to support the logistics functions s6(a) from 1 July 2024 until 30 June 2025.

Noted

- b. **Note** that NATO will establish the NATO Security Assistance and Training for Ukraine (NSATU), which will take over some of the s6(a) roles currently being undertaken by the NZDF, s6(b)(ii)

Noted

- c. **Note** that the Ministers of Foreign Affairs and Defence have agreed in principle for New Zealand to contribute to NSATU, enabling New Zealand to continue to contribute logistics support to Ukraine in line with the existing mandate.

Noted

- d. **Note** that in order to contribute to NSATU New Zealand is required to sign a Participation and Financial Arrangement with NATO to become an operational partner.

Noted

- e. **Approve** the text of the Participation and Financial Arrangement for NATO Security Assistance and Training for Ukraine, including the response letter, which is attached to this paper.

Yes / No

f.

s6(a)

Noted

- g. **Note** that the Participation and Financial Arrangement will enter into effect on the date of the New Zealand Ambassador to NATO's reply.

Noted

- h. **Authorise** the New Zealand Ambassador to NATO to reply to the NATO Secretary General with the enclosed response letter.

Yes / No

- i. **Note** officials are in ongoing discussions with NATO about publicising New Zealand's contribution to NSATU. Further communications advice will be provided in due course.

Noted

- j. **Refer** a copy of this submission to the Prime Minister for information.

Yes / No



T DAVIES

Air Marshal
Chief of Defence Force

Date: 14 Aug 2014



RICHARD SCHMIDT

Acting Secretary of Defence

Date:

TAHA MACPHERSON

Deputy Chief Executive
- Policy

Date:

RT HON WINSTON PETERS

Minister of Foreign Affairs

Date:

HON JUDITH COLLINS KC

Minister of Defence

Date:

Annex A – Draft Participation and Financial Arrangement

s6(b)(ii)

Released under the Official Information Act 1982

s6(b)(ii)

Released under the Official Information Act 1982

s6(b)(ii)

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s6(b)(ii)

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s6(b)(ii)

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s6(b)(ii)

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s6(b)(ii)

Released under the Official Information Act 1982

s6(b)(ii)

Released under the Official Information Act 1982