

HON ANDREW LITTLE, MINISTER OF DEFENCE

Multinational Force and Observers Request for Interim Force Commander in the Sinai Peninsula, Egypt

November 2023

This publication provides details on Cabinet's October 2023 decision to provide an Interim Force Commander to the Multinational Force and Observers in Egypt for a period of six months.

The pack comprises the following documents:

- Multinational Force and Observers Request for Interim Force Commander in the Sinai Peninsula, Egypt minute of decision [*CAB-23-MIN-0450*]
- Multinational Force and Observers Request for Interim Force Commander in the Sinai Peninsula, Egypt Cabinet paper [*CAB-23-SUB-0450*]

This pack has been released on the Ministry of Defence website, available at: www.defence.govt.nz/publications.

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 any international organisation [section 6(b)(ii)].

Information is also 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)].



Cabinet

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.

Multinational Force and Observers Request for Interim Force Commander in the Sinai Peninsula, Egypt

Portfolios Defence / Foreign Affairs

On 2 October 2023, Cabinet:

1 **noted** that:

- 1.1 the Multinational Force and Observers (MFO) is a neutral arbiter in monitoring the security provisions of the 1979 Egypt – Israel Peace Treaty;
- 1.2 New Zealand has maintained a military presence in the MFO since its formation in 1982;
- 1.3 in March 2022, Cabinet extended the 28-person deployment of New Zealand Defence Force (NZDF) personnel to the MFO for two years, until September 2024 [CAB-22-MIN-0075];

2 **noted** that:

- 2.1 New Zealand has received a request from the MFO for Major General Evan Williams of the NZDF to return as interim Force Commander from 3 October 2023 until 3 April 2024;
- 2.2 the Force Commander role has two associated positions, a Military Advisor and Personal Protection Officer, which the NZDF would also provide as standard practice;

3 **noted** that a mandate of up to six months for the Force Commander contingent is recommended, [REDACTED] s9(2)(g)(i)

4 **noted** the benefits associated with the proposed Force Commander contingent, as described in paragraphs 10 to 12 of the paper under CAB-23-SUB-0450;

5 **approved** the deployment of a three person Force Commander contingent for up to six months, from 3 October 2023 until 3 April 2024, with the deployment to conclude earlier if Major General Evan Williams is able to hand over to an appointed replacement;

6 **noted** that the [REDACTED] s6(a) threat assessment for the MFO mission [REDACTED] s6(a)

Financial implications

7 **noted** that the total estimated cost of the deployment is \$0.200 million in Financial Year 2023/24;

8 **noted** that:

8.1 the deployment can be funded through Vote Defence Force baseline funding allocated to New Zealand's mandated core contribution;

8.2  s6(a)

9 **noted** that any unforecast regional or global contingency response, humanitarian assistance and disaster relief operation, as well as any changes to existing mandates in Financial Year 2023/24, may require either a fiscally neutral adjustment and/or a Vote Defence Force baseline increase.

Rachel Hayward
Secretary of the Cabinet

Released by the Minister of Defence

MULTINATIONAL FORCE AND OBSERVERS REQUEST FOR INTERIM FORCE COMMANDER IN THE SINAI PENINSULA, EGYPT

Proposal

1. To seek Cabinet's approval for the New Zealand Defence Force (NZDF) to accept a request for an interim Force Commander at the Multinational Force and Observers (MFO). It is proposed that this deployment be approved for up to six months, from October 2023 until April 2024, and include two additional NZDF personnel in associated roles.

Relation to Government Priorities

2. The proposed contribution supports the Government's priorities by:
 - 2.1. Reinforcing New Zealand's longstanding commitment to collective security efforts and the international rules-based system, the latter of which is a core national security issue as outlined in the *National Security Strategy 2023-2028 (NSS)*.
 - 2.2. Supporting Israeli and Egyptian cooperation to counter the ISIS presence in the Sinai Peninsula, contributing towards global efforts to address terrorism and violent extremism, which is a core national security issue outlined in the *NSS*.
 - 2.3. Contributing globally to collective security efforts that promote and protect New Zealand's interests and values, which is an objective in the *Defence Policy and Strategy Statement 2023*.
 - 2.4. Supporting the Government's priority that the NZDF attract, retain and develop a skilled, sustainable and diverse workforce.

Context

3. The MFO is a neutral arbiter in monitoring the security provisions of the 1979 *Egypt-Israel Peace Treaty* (the '1979 Peace Treaty'). New Zealand has maintained a consistent military presence in the MFO since its formation in 1982. More recently, the MFO has also played a role in enabling Egypt and Israel to cooperate for counter-terrorism purposes. In March 2022, Cabinet extended the 28-person deployment to the MFO by two years, until September 2024 [CAB-22-MIN-0075]. New Zealand previously filled the MFO Force Commander role through Major General (MAJGEN) Evan Williams from December 2019 to March 2023.

The Force Commander Request and Proposed Contribution

4. [REDACTED] s6(a), s6(b)(ii)
[REDACTED] The MFO Director General has formally requested the NZDF's MAJGEN Williams return as Force Commander from 20th of September, until a suitable replacement can be identified and appointed [REDACTED] s6(a), s6(b)(ii)
5. MAJGEN Williams is a well-qualified interim candidate [REDACTED] s6(a), s6(b)(ii), s9(2)(g)(i)
[REDACTED]

s6(a), s6(b)(ii)

6. In response to this request, it is proposed that the NZDF deploy a three person Force Commander contingent¹, consisting of:
 - 6.1. MAJGEN Evan Williams as Force Commander;
 - 6.2. a Military Advisor to the Force Commander; and
 - 6.3. a Personal Protection Officer for the Force Commander.
7. Deploying two associated personnel from the same military as the Force Commander to support them in their duties is standard practice within MFO. It facilitates the efficient delivery of the Force Commander's duties to the MFO, which comprises 1100 international military personnel and an additional 700 local civilian staff.
8. It is proposed that this three person Force Commander contribution is mandated to deploy for a period of up to six months, from no earlier than 3 October 2023 until 3 April 2024. The Director General has requested MAJGEN Williams serve as the interim Force Commander for a period of approximately six months,
s6(a), s6(b)(ii)
9. The proposed contribution would not affect the NZDF's ability to operate in the Pacific.

Benefits of the Proposed Contribution

10. s6(a), s9(2)(g)(i)
11. s6(a), s9(2)(g)(i)
This is also an opportunity for the NZDF to demonstrate its ability to lead at short notice in a dynamic and complex environment.
12. s6(a)

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

¹ See Annex A for full position descriptions.

² Australia, Canada, United Kingdom, United States, Colombia, Czech Republic, Fiji, France, Italy, Japan, Norway and Uruguay.

New Zealand’s Core Contribution

14. New Zealand’s 28 personnel core contribution to the MFO is one of our most significant current commitments to Middle East regional stability and the international rules-based system. The core contribution is well regarded and is separately mandated until 30 September 2024. s9(2)(g)(i)

Threat Assessment

15. The unmitigated threat level for the MFO, including New Zealand’s core contribution, s9(2)(g)(i)

Financial Implications

16. While the MFO mission absorbs the cost for the Force Commander, the two associated roles would be funded from within NZDF baseline. Should Cabinet agree to deploy the MFO Force Commander, Military Advisor, and Personal Protection Officer, it would cost an estimated total of \$0.200 million in FY 2023/24.

17. *Vote Defence Force: Operations Contributing to New Zealand’s Security, Stability and Interests MCA* is completely allocated for the current financial year, so the cost of this proposed deployment would be funded through the allocated \$0.523 million available from within the surge budget for the separately mandated core contribution in FY 2023/24. s6(a), s9(2)(g)(i)

18. The following table provides financial estimates for the activities Cabinet has been asked to consider for the recommended option.

Estimated Direct Costs	\$ Million				
	2023/24	2024/25	2025/26	2026/27	2027/28 & Outyears
Deployment of MFO Force Commander, Military Assistant, and Personal Protection Officer	0.200	-	-	-	-
Total	0.200	-	-	-	-
s6(a), s9(2)(f)(iv)					
Funding to be met from MFO surge deployment budget, within existing baselines	0.200	-	-	-	-

19. The Minister for Veterans Affairs has declared this deployment to be ‘qualifying operational service’ under the Act. This decision is estimated to increase the value of the veterans’ support entitlements liability by a maximum of \$0.109 million and this cost can be met from within the existing unallocated baseline for Vote Defence Force Non-Departmental Other Expenses appropriation: Service Cost – Veterans’ Entitlements.

Legal Considerations

20. The legal framework for the activities and action of the MFO mission is provided by the 1979 Peace Treaty. While deployed, NZDF personnel are subject to the exclusive jurisdiction of New Zealand in respect of any criminal offences, and are not subject to civil jurisdiction for matters relating to official duties.

21. There is a negligible likelihood of this deployment causing or contributing to a human rights breach. The nature of the proposed commitment renders the likelihood of involvement in any action leading to civilian harm as unlikely. Activities conducted by Service personnel during this deployment are exempt from the strict compliance with New Zealand's domestic health and safety regime.

22. [Redacted] s6(a)

Consultation

23. This paper has been prepared by the Ministry of Defence, the New Zealand Defence Force and the Ministry of Foreign Affairs and Trade, and consulted with the Department of the Prime Minister and Cabinet, the Treasury, the New Zealand Security Intelligence Service and Government Communications Security Bureau.

Next Steps

24. The MFO will be advised of Cabinet's decision. Should Cabinet agree to the proposed contribution, and treaty partners approve MAJGEN Williams, officials will prepare a press release for Ministers' consideration and advise key partners.

Proactive Release

25. The Ministry of Defence will proactively release this paper subject to redactions as appropriate under the Official Information Act 1982.

Recommendations

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

1. **Note** that New Zealand has received a request from the Multinational Force and Observers for Major General Evan Williams of the New Zealand Defence Force to return as interim Force Commander from 3 October 2023 until 3 April 2024.
2. **Note** the Force Commander role has two associated positions, a Military Advisor and Personal Protection Officer, which the New Zealand Defence Force would also provide as standard practice.
3. **Note** that a mandate of up to six months for the Force Commander contingent is recommended. [Redacted] s9(2)(g)(i)
4. **Note** the benefits associated with the proposed Force Commander contingent, as described in paragraphs 10 to 12.
5. **Approve** the deployment of a three person Force Commander contingent for up to six months, from 3 October 2023 until 3 April 2024, [Redacted] s9(2)(g)(i)
6. **Note** the [Redacted] s9(2)(g)(i) threat assessment for the Multinational Force and Observers mission [Redacted] s6(a)
7. **Note** that the total estimated cost of the deployment is \$0.200 million in Financial Year 2023/24.

8. **Note** that the option can be funded through Vote Defence Force baseline funding allocated to New Zealand's mandated core contribution, [REDACTED] s6(a)
9. **Note** that any unforecast regional or global contingency response, humanitarian assistance and disaster relief operation, as well as any changes to existing mandates in Financial Year 2023/24 may require either a fiscally neutral adjustment and/or a Vote Defence Force baseline increase.

Authorised for lodgement

Hon Andrew Little
Minister of Defence

Hon Nanaia Mahuta
Minister of Foreign Affairs

Annexes:

A: MFO Force Commander Contingent Position Descriptions

Released by the Minister of Defence

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Released by the Minister of Defence