

8 February 2024

195 Lambton Quay
Private Bag 18–901
Wellington 6160
New Zealand

Personal details
removed for
proactive release

T +64 4 439 8000
F +64 4 472 9596

OIA 29019

Personal details removed for proactive release

I refer to your email of 11 January 2024 in which you request the following under the Official Information Act 1982 (OIA):

I have a few questions regarding exports to Israel. I can appreciate this is a popular topic so I'll try to keep these queries tightly scoped in respect of your time.

1) In regards to OIA 28904 [1] titled "Export control permit for export Israel authorities", the request was refused under Section 18(e) as there "have been no export control permits for export to Israel authorities and forces in 2022 and 2023".

At first glance, I would have thought this seems to be at odds with "Figure 6: Application approvals for the export of strategic goods and catch-all exports to the Middle East in 2022" shown on Page 18 of the 2022 Export Controls Annual Report [2]

Upon closer inspect though, I assume the key phrase here is "authorities and forces" and that this permit may have been issued to say; a private business.

With the 2022 Export Controls Annual Report as reference, could you clarify the following:

- a) The type of permit that was applied for ie; single, single temporary, multiple etc*
- b) Was this permit counted for more than one country, as noted on Page 13 of the 2022 Export Controls Annual Report*
- c) Whether this permit has been exercised*
- d) Whether the controlled goods are classified as "Strategic Goods" (ie; listed on the New Zealand Strategic Goods List [3]) or "Catch-all Provisions"*
- e) What the goods were/are, in as much detail as is reasonable while acknowledging that the Export Controls team is also subject to the Privacy Act*
- f) The window that the permit was/is valid for (depending on the type)*

2) The same answers for any permits approved for Israel issued from the start of 2023 until the receipt of this request (if there were any).

3) Whether any exports were made without a permit during 2023, by any Israel visiting forces through the use of the Visiting Forces Act 2004 [4]

- a) What exactly was exported, in a reasonable amount of detail*

Question One

The information relating to the 2022 Export Controls Annual Report is set out below:

- a. *Type of permit applied for:*
General consent.
- b. *Destination:*
Yes, this permit was for multiple countries.
- c. *Permit use:*
As of 17 January 2024, there were no exports to Israel under this permit.
- d. *Classification of goods:*
This export was for telecommunications equipment. This type of export is classified as strategic goods. The End User was not a military organisation, the end user was an electronics company.
- e. *Type of goods:*
The goods were described as dual use telecommunications equipment such as processors, switches, servers, network access, firewalls, routers, etc. Further details of the type of goods is withheld under section 9(2)(ba) of the OIA, to protect the supply of confidential information by another party.
- f. *Permit validity:*
The permit was approved in August 2022 and expires on 9 February 2024.

Question Two

The information relating to exports for the period 1 January 2023 to 15 January 2024 are answered below.

Two Export Control permits were issued in 2023. No permits have been issued in 2024.

- a. *Type of permit applied for:*
Both permits issued in 2023 were single use permits.
- b. *Destination:*
Both permits were for Israel only.
- c. *Permit use:*
Both permits were exercised.
- d. *Classification of goods:*
The first permit was for a single firearm suppressor. The End User was a private citizen, not a military End User.

The second export was for telecommunications equipment. The End User was not a military organisation (Network Security Company).

Both exports are classed as strategic goods.

e. *Type of goods:*

The first permit was for a single firearm suppressor. The second permit was for dual use telecommunications equipment required for network connection. Further details of the type of goods is withheld under section 9(2)(ba) of the OIA to protect the supply of confidential information by another party.

f. *Permit validity:*

The first permit was approved on 20 September 2023, the second permit on the 03 November 2023. Both permits were valid for 3 months, both have expired.

Question Three

The Visiting Forces Act 2004 covers the legal status of foreign military personnel formally entering New Zealand. It does not govern the export of goods or materials to foreign militaries. We are advised by the New Zealand Defence Force that they do not hold any information regarding any exports made without a permit in 2023, nor do they hold any information about any visiting personnel from the Israel Defence Force in the same period. Therefore we refuse this part of your request under section 18(g) of the OIA as the Ministry does not believe that the information is held by another department or is more closely connected with the functions of another department.

Where information has been withheld under section 9 of the OIA, we have identified no public interest in releasing the information that would override the reasons for withholding it.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Sarah Corbett
for Acting Secretary of Foreign Affairs and Trade