

20 October 2021

Personal details removed for
proactive release

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OIA 27652

I refer to your email of 17 August 2021 in which you request the following under the Official Information Act 1982 (OIA):

I request a list of all documents sent to the minister relating to Afghanistan over the past 18 months

On 27 August you agreed to amend your request to be for:

Briefings, Aide Memoires and Cabinet Papers primarily related to New Zealand's involvement in Afghanistan, sent to the Minister of Foreign Affairs by the Ministry of Foreign Affairs and Trade, between 6 November 2020 and 16 August 2021.

On 14 September 2021, due to the necessity for further consultation, the timeframe for responding to your request was extended by 26 working days, to 20 October 2021. Thank you for your patience while this process was concluded.

The information relevant to your amended request is attached. We have withheld some information under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government;
- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 6(d): to avoid endangering the safety of any person;
- 9(2)(a): to protect individuals' privacy; and
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments.

Where the 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.

As previously advised, the Ministry has proactively released two documents relevant to your request. These documents are available online at: <https://www.mfat.govt.nz/en/media-and-resources/afghanistan-evacuation-operations/>

Additionally, two documents co-authored by the Ministry of Foreign Affairs and Trade, and the Ministry of Defence will be proactively released by the Ministry of Defence. One document is available online at: <https://www.defence.govt.nz/publications/publication/concluding-afghanistan-deployment>

The second document titled '*6 August 2021: Submission New Zealand Government approach to requests for resettlement assistance from Afghan nationals*' will soon be available online at: <https://www.defence.govt.nz/publications/>. Accordingly this document is refused under section 18(d) of the OIA, as it will soon be publicly available.

Please note that we may publish this letter (with your personal details redacted) and enclosed documents on the Ministry's website.

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



Julie-Anne Lee
for Secretary of Foreign Affairs and Trade



AIDE MEMOIRE: PROPOSAL TO CONCLUDE NEW ZEALAND'S DEPLOYMENT TO AFGHANISTAN

- After twenty years of contributions in Afghanistan, New Zealand is approaching a significant waypoint. New Zealand first deployed to Afghanistan in 2001, as part of the international efforts to dismantle Al-Qaeda in the wake of the September 11 attacks. Since then, we've worked alongside our partners to contain extremist groups within Afghanistan and have contributed to significant improvements in social outcomes and infrastructure in Afghanistan.
- The NZDF deployment to Afghanistan is now one of New Zealand's longest-lasting, having involved over 3,500 NZDF personnel over the course of two decades.
- New Zealand has built a legacy in Afghanistan that we can be proud of. We've improved regional security. We've strengthened relationships with important security partners, including NATO, Australia, the UK, and the US. And we've delivered for the people of Afghanistan through our NZ\$109 million in official development assistance, which has delivered training and equipment to mechanise agriculture and improve livelihoods; brought electricity (for the first time) to an estimated 27,000 people in Bamyán province; and funded demining activities in Afghanistan.
- But it is now appropriate that we contemplate a conclusion to our deployment. The international military presence is tracking towards a likely drawdown in 2021, even if the specific exit point is hard to predict and subject to change. This downwards trajectory means that the conclusion of New Zealand's deployment in Afghanistan is coming – the question is now one of timing. Key for us is ensuring that we leave Afghanistan in a way that is aligned with our values, preserves our legacy and our relationships, and protects our people.
- All three options presented to Cabinet are predicated on the full withdrawal of NZDF personnel. However, officials have recommended Option 2 (withdrawal by 31 May 2021). s9(2)(g)(i)

UK-led Afghanistan National Army Officer Academy (ANAOA) in a coordinated manner and in step with our UK partners s6(a)

A May 2021 exit would also provide a more manageable withdrawal window for our operational partners on the ground, s6(a)

[RESTRICTED]

- The paper provides two other options, but with each there are more downsides than up.
 - An immediate withdrawal (Option 1: March 2021) would likely see us among the first Coalition partners to exit Afghanistan in 2021, s6(a)

 - While it is difficult to predict quite how the landscape will shift throughout 2020/2021, s6(a)

A phased withdrawal (Option 3: by December 2021 at the latest) might therefore expose NZDF personnel to risks in the event of a complicated and drawn-out international withdrawal. Concluding our deployment on our own terms would ensure we at least mitigate against some of these risks.

- s6(a)

- While the MFAT-managed Official Development Assistance (ODA) contributions have now been completed, the question of whether any further contributions might be made is currently under review. Such contributions could demonstrate our ongoing commitment to the Afghan people, beyond the drawdown of our military contribution on the ground.

*International Security and Disarmament Division
November 2020*

[RESTRICTED]



13 August 2021

Minister of Foreign Affairs

For information by

14 August 2021

New Zealand responses to the emerging situation in Afghanistan

BRIEFING Overview Submission

PURPOSE To provide an update on plans by the United States, the United Kingdom and others to evacuate foreign and approved Afghan nationals from Afghanistan and the possibility that Aotearoa New Zealand may be asked to assist with the evacuation, and have the opportunity to include nationals in it.

Tukunga tūtohua – Recommended referrals

Prime Minister	For information by	15 August 2021
Minister of Defence	For information by	15 August 2021
Minister of Immigration	For information by	15 August 2021
Associate Minister of Immigration	For information by	15 August 2021

Taipitopito whakapā – Contact details

NAME	ROLE	DIVISION	WORK PHONE
Cecile Hillyer	Divisional Manager	International Security and Disarmament Division	s9(2)(a)
Stuart Horne	Divisional Manager	Middle East and Africa Division	

Mā te Tari Minita e whakakī – Minister's Office to complete

<input type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Referred
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

Comments

New Zealand responses to the emerging situation in Afghanistan

Pito matua – Key points

- The Taliban are continuing to take territory in Afghanistan and there is increasing concern Kabul may soon fall. The United States and the United Kingdom have confirmed they are sending troops to Afghanistan to support, along with Australia and Canada, the evacuation of their nationals and approved Afghan nationals. The evacuation would be to Qatar, in the first instance, and could happen very quickly.
- We are in close touch with the Ministry of Defence / New Zealand Defence Force, as it is possible Aotearoa New Zealand may be asked to assist with the evacuation, and we may have an opportunity to ask for our nationals and approved Afghan nationals to be included in evacuation plans. Defence officials are preparing advice for their Minister for 16 August Cabinet, should he wish to seek guidance on our approach to any request for assistance. Given the fast moving nature of the situation, he may also ask Cabinet to delegate authority to relevant Ministers to consider the options, if any, and decide on New Zealand's response.
- MFAT officials are making contact with the State Department in Washington and the Foreign Office in London to understand what the criteria and timeframes would be, in the event we were to seek assistance for our nationals and approved Afghan nationals.

New Zealanders in Afghanistan

- While the SafeTravel advisory for Afghanistan has for some time advised New Zealanders not to travel there and, if they are there, to depart as soon as possible, we currently have 16 registrations (six individual or family groups) in Afghanistan. s9(2)(a)

Remaining registered New Zealanders are being contacted to confirm they are still in Afghanistan, ascertain their intentions, and ensure that they are aware of our travel advice and our increasingly limited ability to provide assistance.

s9(2)(a)

- MFAT is also supporting the case of an Afghan national, s9(2)(a) for resettlement assistance. s9(2)(a)
- s9(2)(a) requesting a residence visa under Article 61A of the NZ Immigration Act (2009). The request is shortly to be formally considered by the AMOI and a response expected within days. Even with a positive response, it is likely there would be further steps required before a residence visa could be issued. s9(2)(a)

Approaches from other Afghan nationals

- Aotearoa New Zealand has previously offered resettlement and other assistance packages to interpreters and former staff who were employed by our Government during our deployment to Bamyán. You have received separate advice on this. While that package covered most of those concerned, there are a number of requests still coming in from persons not captured by the original package, or for whom resettlement was not an

New Zealand responses to the emerging situation in Afghanistan

option at that time, such as those offered monetary compensation to relocate elsewhere in Afghanistan. The request of 37 Afghans who are claiming to have worked for the New Zealand Defence Force in Bamyán in other capacities is gaining domestic media attention. The Minister of Immigration has indicated he is looking at their case.

Other

- Officials are looking into options for providing assistance to Afghanistan outside the resettlement question, including the possibility of providing humanitarian assistance (i.e. through the ICRC) and supporting development projects, with a particular focus on the protection of women and girls.
- Attached are updated talking points for any media engagement.



Ben King
for Secretary of Foreign Affairs and Trade

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Tūtohu – Recommendations

It is recommended that you:

- | | | |
|---|--|-----------------|
| 1 | Note that the United States, the United Kingdom, Australia and Canada are planning an evacuation of their nationals and approved Afghan nationals from Afghanistan and that this evacuation could happen very quickly | Yes / No |
| 2 | Note that Aotearoa New Zealand may be asked to assist with the evacuation and may also have the opportunity to seek the evacuation of our nationals and approved Afghan nationals | Yes / No |
| 3 | Note that officials are following up with New Zealanders registered on SafeTravel as being in Afghanistan | Yes / No |
| 4 | Refer a copy of this submission to the Prime Minister, the Minister of Defence, the Minister of Immigration and the Associate Minister of Immigration. | Yes / No |

Hon Nanaia Mahuta
Minister of Foreign Affairs / Minita Take Aorere

Date: / /

Aide Memoire: Afghanistan: 15 August 2021, 1830 hrs

This Aide Memoire supplements and updates our submission of 13 August 2021 regarding developments in Afghanistan, and Aoteraroa New Zealand's response.

Key points

- The security situation in Afghanistan is rapidly deteriorating.
- Media is reporting that the Taliban has seized the eastern city of Jalalabad early on Sunday, which – if confirmed – would leave Kabul as the only major city still under government control. The northern city of Mazar-e Sharif also fell to the Taliban over the weekend.
- Reporting indicates that Kabul may soon fall. Reporting from New Zealand's post network and NZDF indicates that the Taliban is fast approaching Kabul s6(a)
- Given the rapid deterioration in-country, New Zealand's ability to assist individuals on the ground is becoming extremely challenging.
- Partners are deploying military and civilian personnel to assist evacuations. President Biden authorised 5,000 troops to Afghanistan to assist the drawdown of the US diplomatic and military presence and the evacuation of designated Afghan nationals.
- The US, UK, Australia, and Canada are planning to evacuate their nationals and approved Afghan nationals from Afghanistan. s6(b)(i)
- NZDF and the Ministry of Defence are leading advice on the availability of defence assets, should Ministers wish receive options. s9(2)(g)(i)
- s9(2)(g)(i)

Several factors would need to be taken into account, including:

- s9(2)(g)(i)

- Decisions around deployment of assets to Afghanistan should also ensure we maintain capacity to deploy airframes in the Pacific, particularly as the COVID situation there continues to deteriorate (e.g. Fiji).

- The New Zealand Embassy in Tehran continues to work closely with Wellington on consular cases and those involving Afghan citizens with close links to New Zealand. s6(d)

We have also heard unconfirmed reports that Bamiyan town is now also controlled by the Taliban. We will work to corroborate these reports tomorrow.

- The Safe Travel advisory for Afghanistan has for some time advised New Zealanders not to travel there and, if they are there, to depart as soon as possible.
- The Ministry is attempting to make contact with every New Zealander registered on Safe Travel as being in Afghanistan, and providing assistance for them to depart. However, communications are challenging. s6(d)
- New Zealand Government agencies have received a number of requests for assistance covering over one hundred individuals.

The security situation in Afghanistan

- The security situation in Afghanistan is deteriorating much faster than previously anticipated. Reporting from partners suggests that Kabul may soon fall. **Given the rapid deterioration in-country, New Zealand's ability to assist those individuals on the ground maybe further constrained.**
- The Taliban now control at least 20 of Afghanistan's 34 provinces, including the second and third largest cities of Kandahar and Herat. The BBC is reporting that Kabul as the only major city still under government control.
- s6(a)

- s6(b)(i)

On 14 August, President Biden authorised the deployment of 5,000 troops to Afghanistan to ensure "an orderly and safe drawdown of US personnel and other allied personnel, and an orderly and safe evacuation of Afghans who helped [US] troops during our mission and those at special risk from the Taliban". The first of the US troops have landed in Kabul.

- The UK has approximately 300 troops in country, and 450 additional troops have been deployed to Kabul (with most arriving by the weekend) to provide force protection and to expedite the (separate) Afghan Relocation and Assistance Policy (ARAP) Programme, which is relocating eligible Afghan staff and their families. Extraction is from Kabul to Dubai on Ministry of Defence-chartered commercial flights. The Ministry of Defence will deploy further personnel should the security situation deteriorate further (650 additional troops are ready to deploy if required).

- Afghan President Ghani has talked of remobilising the military as a top priority and holding onto power while allegedly keeping two planes situated at his compound - ready for an evacuation into another country as the Government in exile.

New Zealand Consular Response

- The New Zealand Embassy in Tehran continues to work closely with Wellington on consular cases and those involving Afghan citizens with close links to New Zealand. These include cases requiring flights from Bamiyan to Kabul as the highway between the two cities is now controlled by the Taliban.
- The Safe Travel advisory for Afghanistan has for some time advised New Zealanders not to travel there and, if they are there, to depart as soon as possible.
- Consular Officials are attempting to make contact with all New Zealanders registered on SafeTravel as being in Afghanistan, and providing assistance for them to depart, however communications are challenging.
- s6(d)

Requests for New Zealand Government Assistance

- New Zealand Government agencies have received a number of requests for assistance covering over one hundred individuals. The following provides a breakdown of those requests sent to the Ministry of Foreign Affairs and Trade, though other requests have also been channelled to other agencies s9(2)(a), s9(2)(g)(i)

¹ s9(2)(a)

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

Partner Diplomatic Footprint in Kabul

- The diplomatic footprint of international partners on the ground is rapidly shrinking. s6(b)(i)

Partner Evacuation Plans

United States:

- In addition to the safe departure of US Embassy civilian staff, the Department of Defence are being sent into the region to support evacuee processing. US officials say that airlift capacity will not be a limiting factor in this mission. s6(b)(i)
- Commercial flights are still available and the US will not be entirely relying on military aircraft. s6(a)

Canada:

- Canadian military forces are now on the ground effecting the evacuation of their personnel and Afghan civilians using C-17 and C-130 aircraft plus some civilian.
- s6(a)

United Kingdom:

- s6(a)
- The UK Home Office will deploy a small team of officials to Kabul to help streamline the processing of new visas and other documents needed for British nationals, former UK staff, and other eligible people to leave Afghanistan and travel to the UK (including by waiving visas for the dependents of British nationals).

Australia:

- The Australian government is making urgent plans to evacuate Australian citizens (NGO workers and journalists in particular) and visa holders. According to Australia media overnight, "hundreds" are expected to be uplifted in the coming week.

- At a press conference (Sunday 15 August), journalists prompted a short exchange on the situation in Afghanistan and the Australian government response. PM Morrison noted that the situation was being treated with the “utmost urgency” at the “highest levels” of the Australian government. He said that Australia was looking to evacuate “citizens and locals” as soon as possible.
- s6(a)
- The government has said that approximately 400 Afghanistan citizens have been brought to Australia since April 2021.

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Humanitarian Situation

- The humanitarian situation continues to deteriorate. Since May, large numbers of the civilian population have been displaced by the conflict. Kabul is now crowded with displaced persons who headed for the (then) relative safety of Kabul, often arriving with just the clothes on their back and nowhere to sleep.
- UNHCR has indicated that it is particularly concerned about the impact of the conflict on women and girls as they make up a significant portion of those displaced. Preparations continue in Iran for up to 500,000 Afghan refugees over the next three months.
- According to Canadian officials, the impending humanitarian crisis will be of “unparalleled proportions”, aggravated by the massive drought currently affecting Afghanistan and a terrible COVID-19 situation. There are expected to be millions of Internally Displaced Persons, including many who had returned in recent years. s6(a)

Partner Humanitarian Responses

- s6(a)
- Media reports that Canada plans to resettle more than 20,000 vulnerable Afghans, including women leaders, human rights workers and reporters, according to Immigration Minister Marco Mendicino. This is in addition to their intentions to assist thousands of Afghans who worked for the Canadian Government.

Possible New Zealand Priorities for Humanitarian Response

- Officials are looking at options for providing humanitarian contributions and other projects to support the most vulnerable people Afghanistan, particularly women and girls.
- Officials are in touch with s9(2)(g)(i) to discuss what support may be required to assist the humanitarian response in Afghanistan. Longer term this may include opportunities to resettle additional refugees from Afghanistan. While this would need to be coordinated with UN agencies and partners, this could include those with a close association with

² Iran already hosts nearly 800,000 Afghan refugees, with an additional estimated two million undocumented Afghans and nearly 600,000 Afghan-passport holders in the country.

New Zealand and endangered because of this link; women's and human rights activists and other civil society activists; and members of vulnerable minorities, including ethnic minorities, religious minorities and members of the LGBTQI communities.

Next steps

- Consular officials will continue to assist New Zealanders who wish to depart and to contact remaining SafeTravel registrants to ascertain intentions.
- We will continue to explore all options to depart and to engage with partners on this.

ISED / MEA / CON

Ministry of Foreign Affairs and Trade

15 August 2021

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Discussion Document – Afghanistan Response

Who Will We Assist?

Consular Clients

- NZ citizens and their immediate family members travelling with them
- NZ permanent residents (any dependent children traveling with them)
- NZ visa holders

Eligible Afghan Visa Holders

Eligibility will reflect decisions contained in the 2012/2013 Cabinet papers as well as taking into account the significant recent changes in the situation and the current level of risks an individual faces.

Afghanistan nationals may be considered for resettlement if they:

- a) Worked directly with the NZDF, NZ Police or MFAT during the PRT period (2003-2013) or since;
 - b) Provided material assistance to the Op Burnham Enquiry; and
 - c) There are reasonable grounds to believe that the safety or well-being of the individual or their immediate family has been put at risk from their association with New Zealand in Afghanistan, and that no other partner government s6(a) would bear greater responsibility for their welfare.¹
 - d) This would apply to individuals or and their immediate nuclear family only.
- Afghan nationals who meet these criteria will receive expedited visa processing from MBIE and support from MFAT. We have shared our consular lists with Australia. However, due to the current security situation our ability to assist is highly limited. As such, it may be necessary for these individuals to look for ways to depart Afghanistan and seek shelter outside of the country as an interim measure.
 - In addition, longer term there may be opportunities to resettle additional resettlement applicants from Afghanistan. This would need to be coordinated with UN agencies and partners. s9(2)(g)(i)

Options to Assist Departure of New Zealand Nationals and Afghan Visa Holders

- The US, UK, Australia, and Canada are planning to evacuate their nationals and approved Afghan nationals from Afghanistan. We have requested Australian assistance to assist our nationals and visa holders to depart Afghanistan should they deploy aircraft to assist s6(b)(i)
- While no request from partner has been received, NZDF has generated options to assist international efforts to extract nationals and approved Afghan citizens. This could include

¹ *NZ not the only country operating in Bamyán international efforts in Afghanistan. Other partner countries included: the US Canada, EUROPOL, Malaysia and Japan.

provision of a C-130 Aircraft or logistics and other personnel to support international s6(a) national Evacuation Operations).

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