

Defence House
34 Bowen Street
Wellington, New Zealand

P +64 (04) 496 0999
E info@defence.govt.nz

PO Box 12703
Molesworth Street
Wellington 6144, New Zealand

www.defence.govt.nz



**MANATŪ KAUPAPA
WAONGA**
NEW ZEALAND
MINISTRY OF DEFENCE

18 November 2024

Rodney Parsons
fyi-request-28866-f8d43041@requests.fyi.org.nz

Dear Mr Parsons

RESPONSE TO YOUR OFFICIAL INFORMATION ACT REQUEST

Thank you for your email of 22 October 2024, in which you requested, pursuant to the Official Information Act 1982 (the Act), the following information:

Please provide a report on the number of war crimes allegations reported to the Ministry involving NZDF, since September 11, 2001.

You may be aware that in April 2018 the New Zealand government announced that an inquiry into Operation Burnham and related matters would be undertaken, based on allegations in the book *Hit and Run*. The Ministry of Defence was a supporting agency for this work. The Inquiry reported in July 2020, finding that the actions of the NZSAS on the ground during Operation Burnham were professional and lawful. All actions by NZSAS personnel during Operations Burnham and Nova – a return operation to the same villages – complied with the rules of engagement and international humanitarian law. Detailed information related to the Inquiry can be found at: <https://operationburnham.inquiry.govt.nz>.

Staff have undertaken a key word search of the Ministry's records have not identified any reports relevant to your request. This includes searching the titles of hardcopy files. Subject matter experts are not aware of anything that would be in scope. As a result, your request is declined under section 18(e) of the Act, as the information that you have requested does not exist.

We have not undertaken a search of hardcopy files across the 23-year period of your request, recognising that this would be substantial collation and research.

Under section 28(3) of the Act you have the right to request the Ombudsman to investigate and review this response.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'K Pearce'.

Kathleen Pearce
Head International Branch