



Headquarters
New Zealand Defence Force
Defence House
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Wellington Mail Centre
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New Zealand

OIA-2025-5524

27th September 2025

[redacted]@rnz.co.nz

Dear [redacted]

I refer to your email of 26 August 2025 regarding your reference to the New Zealand Defence Force (NZDF) Manual of Armed Forces Law, Volume 4, Law of Armed Conflict and the United States' nuclear command, control and communications (NC3). To paraphrase, it appears you state that because the NZDF has connections to the United States Combined Joint All Domain Command and Control (CJADC2), it is therefore linked to, and/or involved in, the United States' NC3.

Because of this perceived link, you have requested the following under the Official Information Act 1982 (OIA):

1. *Re LOAC and relevant laws, we seek a statement from NZDF/MOD about how it sees that this is relevant, or not, to the issue of NZDF helping build CJADC2 which supports NC3.*
2. *We seek any and all advice that NZDF/MOD has on this.*
3. *We seek confirmation NZDF/MOD has looked into or aims to look into how:*
 - *changes in military command and control as they pertain to overlaps between nuclear and conventional, which NZDF will be aware of as they are officially reported on in the US,*
 - *Relate to or affect in any way NZ's nuclear-free status*
 - *Ditto LOAC or NZ's defence alliances or interactions with the US*
 - *Or with other partners or allies or alliances*
4. *If it has not looked into this please make that clear, with a statement as to why not.*
5. *Confirmation that NZDF/MOD has obtained any such advice re the above – or not*
6. *Confirmation that NZDF/MOD has had interactions with the govt executive on the above - or not*
7. *Confirmation that NZDF/MOD has had interactions with US govt entities - or not*
8. *A copy of any and all the advice re the above*
9. *A copy of any and all records of interactions with the govt executive on the above*
10. *A copy of any and all records of interactions with US govt entities including the DOD on the above*
11. *At risk of repeating above, if NZDF has not in any way sought advice on CJADC2/NC3 or similar, we request a statement addressing why it has not done so, with reference to the LOAC; to what it says about LEGAD;*

I refer to the response of 27 May 2025 that you have received, which said the NZDF is not involved in the United States' NC3. The United States' NC3 does not include partner nations.

You have stated that because Royal New Zealand Air Force personnel have attended Air Force Interoperability Council working group activities on CJADC2, the NZDF *is active in building out*

*CJADC2*¹. This is not an accurate representation. When operating alongside the United States military on exercises, deployments, or training, NZDF personnel will communicate via US networks that are available for partners for tactical purposes.

Where New Zealand contributes to multi-national missions, legal assessments are carried out by NZDF Defence Legal Service personnel to ensure that actions are in line with New Zealand law. National policy caveats are developed to aid in guiding the actions of NZDF personnel when contributing to these missions. National policy caveats are withheld, pursuant to section 6(a) of the Act, in order to protect information that would likely prejudice the defence or security of New Zealand, or the international relations of the Government of New Zealand.

You retain the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

GA Motley
Brigadier
Chief of Staff HQNZDF

¹ The Minister of Defence response to question for written answer 36638 (2025).