

UNDER

THE INQUIRIES ACT 2013

IN THE MATTER OF

A GOVERNMENT INQUIRY INTO
OPERATION BURNHAM AND
RELATED MATTERS

STATUTORY DECLARATION OF ANTHONY JOHN LYNCH
CONCERNING PROVISION OF MINISTRY OF DEFENCE MATERIAL

15 May 2019

CROWN LAW
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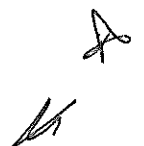
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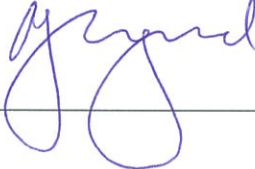
I, Anthony John Lynch, of Wellington, solemnly and sincerely declare:

1. I am Deputy Secretary, Defence at the Ministry of Defence (**MoD**), and responsible for the Ministry's engagement in the Government Inquiry.
2. In response to Inquiry Minute No.6, I arranged for inquiries to be undertaken within MoD to identify information held by MoD that is relevant to the Inquiry's Terms of Reference.
3. The Ministry of Defence and New Zealand Defence Force have a shared filing and document management system. As part of the initial review of documentation undertaken by the Defence Force Inquiry team they reviewed all material that was held by the Ministry.
4. Additionally staff within the Ministry also undertook both electronic and hard copy searches to identify potentially relevant material falling within paragraph 7 of the Inquiry's terms of reference.
5. For the electronic searches, MoD personnel used the following search terms: Afghanistan, Operation Watea, Provincial Reconstruction Team, Middle East, Operation Burnham, Rules of Engagement, Qari Miraj, Tirgiran Valley.
6. For hard copy searches, the MoD searched all files held by the Ministry relevant to the Inquiry.
7. All potentially relevant documents identified during the searches, including borderline documents that did not clearly fall within the terms of reference, were cross-referenced against spreadsheets provided by NZDF which summarised material provided to the Inquiry by the NZDF. As a result of that cross-referencing that Ministry understands that NZDF has provided to the Inquiry all potentially relevant documents held by MoD with the exception of two documents that we consider within the current scope of the inquiry.
8. These documents are: *Plan for Withdrawal of NZDF Forces from Afghanistan* (signed 14 March 2013) and cover sheet for *Afghanistan Mandate Adjustment – Force Protection* (signed 9 August 2013). The documents are enclosed for production to the Inquiry.



- 9. We have discussed this with the NZDF and agreed we should provide these to you.
- 10. To the best of my knowledge and belief, this declaration is correct in all respects and carries out my obligations under the disclosure order. This declaration replaces the Ministry's declaration dated 21 December 2018.
- 11. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared
at Wellington this 15th day of May
2019
before me:

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A Solicitor of the High Court of New Zealand

Denia Nunns

Deputy Registrar
of the High Court
at Wellington