



**From:** PSR(IC)3 (LGL)  
**Sent:** Tuesday, 27 April 2010 11:37 a.m.  
**To:** LGL-FILING  
**Subject:** LGL/SEC/LOAC/RULES and LGL/SEC/PEACE/AFG FW: Afghan Talking Points

**From:** PSR(IC)3 (ISED)  
**Sent:** Thursday, 15 April 2010 9:28 a.m.  
**To:** MFA P/S (MIN)  
**Cc:** PSR(IC)3 (ISED); PSR(IC)3 (ISED); PSR(IC)3 (MEA); PSR(IC)3 (MEA);  
 PSR(IC)3 (LGL); PSR(IC)3 (CEO Office)  
**Subject:** RE: Afghan Talking Points

MFA P/S L have advised we should not refer to "detainees", but "individuals". Attached are the amended tps.

**From:** PSR(IC)3 (ISED)  
**Sent:** Wednesday, 14 April 2010 5:11 p.m.  
**To:** PSR(IC)3 (MIN)  
**Cc:** PSR(IC)3 (ISED); PSR(IC)3 (ISED); PSR(IC)3 (MEA); PSR(IC)3 (LGL);  
 PSR(IC)3 (CEO Office)  
**Subject:** Afghan Talking Points

-- Converted from text/rtf format --> MFA P/S  
 as discussed. Because of the classification there's no reference to the operation itself (which makes them a little cryptic) - you'll need to brief the Minister as required.

## Talking Points

### SAS Action in Kabul, 8-9 April 2010

If asked:

This operation was a major success for the Afghan forces involved and demonstrates the good work which New Zealand forces are doing in training and supporting this unit. The interruption of the planned attacks likely saved many lives and prevented large-scale damage;

The NZSAS was not directly involved in the action and did not detain anyone. Accordingly, we have no legal obligation regarding those people detained by the Afghans.

Nevertheless, we are seeking information as to the procedures for dealing with these individuals and how best to ensure they are treated in accordance with international human rights obligations.

We have in the past received assurances from the Afghan Government regarding the treatment of any individuals our forces transfer to the Afghan authorities. While these individuals do not fall into this category as they were detained by the Afghans and not by New Zealand forces, we nevertheless expect the Afghan Government to honour the assurances they have given us.

I will be meeting with NATO/ISAF Foreign Ministers in Estonia at the end of next week for a meeting on Afghanistan. I may be able to reiterate our expectations to Afghan Foreign Minister Rassoul and seek further information about this case in particular.