



# Ministry of Defence

Ref: FOI2016/06026

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Mr O. Sprague

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03 August 2016

Dear Mr Sprague,

Your correspondence dated 08 June 2016 has been considered to be a request for information in accordance with the Freedom of Information Act 2000. You requested the following information:

*I am asking for relevant documents in the form of departmental minutes; submissions; briefing notes; written statements; correspondence electronic or otherwise and / or any other relevant information available on the replacement, destruction or removal of stocks of BL-755 cluster bombs in Saudi Arabia or the United Arab Emirates following the entry into force of the Cluster Munitions Convention 2008. (CMC)*

*Specifically, I wish to receive copies of documents relating to:*

- 1) Records held by the department on the legal implications relating to supply, training, maintenance, upgrade or other assistance relating to stocks held of BL-755 cluster munitions by either Saudi Arabia or UAE under pre-existing defence contracts following the entry into force of the 2008 CMC.*
- 2) Records held by the department of any initiatives to destroy, remove or replace existing stocks of BL-755 cluster munitions in Saudi Arabia or UAE following the entry into force of the 2008 CMC*
- 3) Records held by the department relating to guidance issued to UK persons working under existing defence contracts in either Saudi Arabia or UAE detailing those persons' legal obligations under the 2008 CMC or the corresponding Cluster Munitions (Prohibitions) Act 2010.*
- 4) Records held by the department of changes made to training, maintenance or re-supply contracts as they relate to existing stocks of BL-755 Cluster munitions held by Saudi Arabia or the UAE following the entry into force of the 2008 CMC*

*If it is not possible to provide information relating to all four points noted above, I would like to be provided with whatever information is available relating to any of the information requested above.*

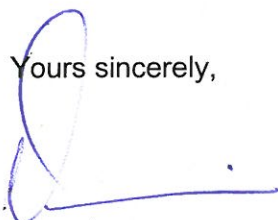
I wrote to you on 05 July 2016 to inform you that the MOD held information related to your request, but that we believed the information fell within the scope of several qualified exemptions, and that it had been found necessary to seek an extension to the usual deadline allowed under the Act for a response to complete the public interest test. I had nevertheless hoped that the test would be completed in time to provide you with a final response by today. Unfortunately the conduct of this exercise with the relevant subject matter experts within the Department is taking longer than anticipated and I therefore deeply regret the need to delay the final response to your request a short time longer. I nevertheless expect the outstanding work to be completed within the next few

weeks. If there are any developments suggesting a delay beyond the end of the month I shall write again.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date of this letter.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a horizontal line.

Shane Wallis  
PolSec/MOD