



# Foreign & Commonwealth Office

## FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0709-16 Digest

On 21<sup>st</sup> July 2016 a Written Ministerial Statement was published by Mr Tobias Ellwood, The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs: 'Corrections to Parliamentary Questions and Westminster Hall Debates: Written statement - HCWS125' (<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-07-21/HC>). It stated:

*'The Foreign and Commonwealth Office (FCO) has recently reviewed all correspondence and parliamentary proceedings on the subject of allegations of breaches of international humanitarian law (IHL) in Yemen by the Saudi-led Coalition. During this exercise it became clear that the drafting of answers to four written questions and two responses given in debates relating to allegations of breaches of IHL did not fully reflect HMG's policy as set out in numerous other written questions and debates on this topic...'*

*I would be grateful if you could provide me with all emails, notes, letters, or other documents or records relating to the FCO exercise of reviewing all correspondence and parliamentary proceedings on the subject of allegations of breaches of international humanitarian law (IHL) in Yemen by the Saudi-led Coalition and the publication of the Written Ministerial Statement on this matter.*

The information below provides details to accompany the FOI reply:

**From:** [name redacted] APID  
**Sent:** 20 July 2016 13:05  
**To:** [name redacted] APID  
**Cc:** [name redacted] APID  
**Subject:** PQ from Feb 2016 saying not assessed

Hope helpful a PQ that says not assessed from previously.

### Q

Asked by [Dr Paul Monaghan](#)  
(Caithness, Sutherland and Easter Ross)  
Asked on: 11 February 2016

### Foreign and Commonwealth Office Yemen: Military Intervention

[27085](#)

To ask the Secretary of State for Foreign and Commonwealth Affairs, what evidence from independent bodies he has seen that Saudi Arabia is complying with international humanitarian law in the **Yemen** conflict.

### A

Answered by: [Mr Tobias Ellwood](#)  
Answered on: 24 February 2016

The Ministry of Defence monitors incidents of alleged International Humanitarian Law (IHL) violations using available information which in turn informs our overall assessment of IHL compliance in **Yemen**. At this stage, looking at all the information available to us, we have not assessed that there has been a breach of IHL by the coalition, but continue to monitor the situation closely, seeking further information where appropriate. We regularly raise the importance of compliance with IHL to the Saudi Arabian government and other members of the military Coalition. Most recently I raised the issue of IHL compliance on 4 February with the Saudi Arabian Ambassador in London

**From:** [name redacted] APID

**Sent:** 20 July 2016 09:05

**To:** [names redacted] Private Office, APID

**Cc:** [names redacted] Private Office, APID, PRD, Media Office, Legal Advisers

**Subject:** RE: Update to Record - Arms Export Language

[Name redacted]– please see attached updated draft WMS [redacted]

[redacted] Further background on these changes below.

As discussed, [we will need to inform Parliament of this by 1300 tomorrow if we want this change to be implemented before Recess.](#)

Many thanks

[Name redacted] APID

## **BACKGROUND**

We have recently reviewed all correspondence and parliamentary proceedings on the subject of allegations of breaches of international humanitarian law (IHL) in Yemen by the Saudi-led Coalition. During this exercise it became clear that the drafting of answers to four written Parliamentary questions and two responses given in Parliamentary debates relating to allegations of breaches of IHL were not accurate. Now that we are aware of the inconsistency, we recommend correcting these answers to ensure HMG's policy is accurately reflected and consistent with the body of PQs we have provided on this topic. We are advising these are corrected. Your predecessor agreed to these corrections however there was not time to implement the change before he left this office.

Due to the high profile nature of this subject and the attention it is getting from Parliament, the media and the courts it is advised that these are corrected in this session. We will need to inform Parliament tomorrow, on 20 July.

In the answers it was implied that HMG had made assessments on whether the Saudi-led Coalition had breached IHL in Yemen. It is important to make clear that neither the MOD nor the FCO reaches a conclusion as to whether or not an IHL violation has taken place in relation to each and every incident of potential concern that comes to its attention. This would simply not be possible in conflicts to which the UK is not a party, as is the case in Yemen.

The MOD monitors incidents of alleged IHL violations using available information. This is used to form an overall view on the approach and attitude of Saudi Arabia to IHL. This, in turn, informs the risk assessment made under the Consolidated Criteria (i.e. whether there is a clear risk that it might be used in the commission of a serious violation of IHL). We are not acting to determine whether a sovereign state has or has not acted in breach of IHL, but instead - as Criterion 2(c) requires – we are acting to make an overall judgement.

Please find attached a drafted Written Ministerial Statement explaining these changes and the reasons for doing so.

Arabian Peninsula and Iran Department | Foreign and Commonwealth Office

**From:** Neil Bush (Sensitive)  
**Sent:** 05 July 2016 08:33  
**To:** [name redacted] Private Office  
**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive); [name redacted] APID  
**Subject:** RE: PQs

(Name redacted) – I agree with the recommendation. In my view, the key argument is the third one - consistency of messaging, [redacted]

[redacted]

(Name redacted) is checking Hansard again this morning more thoroughly. We will get back to you ASAP.

Neil

**From:** [name redacted] Private Office  
**Sent:** 04 July 2016 18:25  
**To:** Neil Bush (Sensitive)  
**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive)  
**Subject:** FW: PQs

Neil – could you confirm views on this, and could you also ensure that thorough check of Hansard is completed first thing in the morning?

Thanks,

[name redacted] Private Office

**From:** [name redacted] Private Office  
**Sent:** 04 July 2016 17:07  
**To:** Neil Bush (Sensitive); [names redacted] APID, Private Office  
**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive); SOSFA Action (Sensitive); Martin Reynolds (PPS) (Sensitive) [names redacted] APID, Legal Advisers, Media Office  
**Subject:** RE: PQs

[name redacted] APID

Could you bring down the PQ folder to Private Office please? Could you also confirm for me how many times we have used the (correct) language of 'we have not assessed' in PQs and letters? [redacted]

Many thanks,

[name redacted] Private Office

**From:** [name redacted] Private Office  
**Sent:** 04 July 2016 14:57  
**To:** Neil Bush (Sensitive); [names redacted] APID, Private Office  
**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive); SOSFA Action (Sensitive); Martin Reynolds (PPS) (Sensitive); [names redacted] APID, Legal Advisers, Media Office  
**Subject:** RE: PQs

[name redacted] APID

Thank you – could you also send me the original PQ full answer for 15523?

Thanks,

[name redacted] Private Office

**From:** [name redacted] APID  
**Sent:** 04 July 2016 14:46  
**To:** Neil Bush (Sensitive); [names redacted] Private Office  
**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive); SOSFA Action (Sensitive); Martin Reynolds (PPS) (Sensitive); [names redacted] APID, Legal Advisers, Media Office  
**Subject:** RE: PQs

[name redacted], Private Office

Yemen/PQs: [redacted] found 2 PQs (24769 and 24711) prior to Thursday which needed correction and were misdrafted. Upon reviewing all PQs since March 2015, one additional PQ (24770) had same misdraft and language. The PQ (15523) which refers to "no evidence" of IHL breaches which we advise to change [redacted]. 91 PQs had

correct language. All 4 PQs were to Hillary Benn. [REDACTED]  
[REDACTED]

Updated letters attached.

[letters redacted]

Thanks,

[name redacted], APID

**From:** [name redacted] APID

**Sent:** 04 July 2016 14:16

**To:** Neil Bush (Sensitive); [names redacted] Private Office

**Cc:** Neil Crompton \* (Sensitive); Christian Turner (Sensitive); SOSFA Action (Sensitive) [Names redacted] APID

**Subject:** RE: PQs

[name redacted] Private Office

**Yemen/PQs:** [REDACTED] found 2 PQs (24769 and 24711) prior to Thursday which needed correction and were misdrafted. Upon reviewing all PQs since March 2015, one additional PQ (24770) had same misdraft and language. The PQ (15523) which refers to "no evidence" of IHL breaches which we advise to change [REDACTED] [REDACTED]. 91 PQs had correct language. All 4 PQs were to Hillary Benn. [REDACTED]

[REDACTED]  
[name redacted] APID

-----Original Message-----

From: [name redacted] APID

Sent: 04 July 2016 12:53

To: Neil Bush (Sensitive); [names redacted] Private Office

Cc: [names redacted] APID

Subject: RE: PQs

[name redacted]

Please find attached the letter to Hilary Benn with the explanation of the 4 PQ changes.

Explanation for change:

[REDACTED]  
[REDACTED] found 2 PQs (24769 and 24711) prior to Thursday which needed correction and were misdrafted. Upon reviewing all PQs since March 2015, one additional PQ (24770) had same misdraft and language. 91 PQs had correct language. The additional PQ (15523) which refers to "our judgment" of IHL breaches which we advise to change [REDACTED]

[redacted]. All 4 PQs were to Hillary Benn. We are undertaking review of process and sign off".

Kind regards,

[name redacted]

**From:** Neil Bush (Sensitive)

**Sent:** 30 June 2016 16:47

**To:** [name redacted] Private Office; SOSFA Action (Sensitive)

**Cc:** Neil Crompton \* (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted] – I spoke to [name redacted] downstairs on the PQs. Please let me know when you are free, as have the folder with me.

On double checking we have assessed there are 4 PQs which need to be corrected (24769, 24771, 24770 and 15523). 90 have the correct language on IHL. We assess these should be corrected.

In addition, 1 (6862 from July 2015) included the line "We have not seen any credible evidence that suggests that the coalition has breached the law". Let us discuss.

Neil

Neil Bush | Head of the Arabian Peninsula and Iran Department, Middle East & North Africa Directorate  
Foreign and Commonwealth Office

**From:** [name redacted] APID

**Sent:** 30 June 2016 10:51

**To:** [name redacted] Private Office; SOSFA Action (Sensitive); Neil Bush (Sensitive)

**Cc:** Neil Crompton \* (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

We are looking from the start of the conflict (March 2015) until now. We are happy to do this in the Yemen team, we have a system and are working through them now.

Thanks,

[name redacted]

**From:** [name redacted] Private Office

**Sent:** 30 June 2016 10:46

**To:** SOSFA Action (Sensitive); Neil Bush (Sensitive) [name redacted] APID

**Cc:** Neil Crompton \* (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

Thank you – do you need a hand from PRD?

Thanks,

[name redacted] Private Office

**From:** [name redacted] APID  
**Sent:** 30 June 2016 10:42  
**To:** SOSFA Action (Sensitive); Neil Bush (Sensitive) [name redacted] Private Office  
**Cc:** Neil Crompton \* (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

The team are going through these now – there are several hundred so it will take some time but we will aim to get back to you as soon as possible.

Middle East and North Africa Directorate | **Foreign and Commonwealth Office**

**From:** [name redacted] Private Office  
**Sent:** 30 June 2016 10:37  
**To:** SOSFA Action (Sensitive); Neil Bush (Sensitive)  
**Cc:** Neil Crompton \* (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Neil

Any news on the other PQs?   


Thanks,

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 19:57  
**To:** [names redacted] Private Office, APID  
**Cc:** Neil Bush (Sensitive); Martin Reynolds (PPS) (Sensitive) [name redacted] APID  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Thanks [name redacted], just a few tweaks. As discussed, having gone through the list of [all](#) FS correspondence since Jan 2016, those relating to Yemen and Saudi correspond exactly with the list you were given (all of which we have checked), which I think we can take confidence from.

[name redacted]

**From:** [name redacted] PRD

**Sent:** 29 June 2016 19:15

**To:** SOSFA Action (Sensitive) [names redacted] Private Office, APID

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive); Martin Reynolds (PPS) (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

From PRD's perspective, we have searched CTS for all FS correspondence relating to Yemen and Saudi since March 2015 – you have the list below – and we have gone through these and can find no reference to the erroneous language. In addition we have searched using other terms such as cluster munitions which have produced a nil return. I'm not sure what more we can do other than pull up every single FS letter on every subject and go through them all – if we go back to March last year there are over 700 so that will take time. I have just searched for every FS letter since the start of this year (there are 207) and am cross referencing every one against the list below. If there are any discrepancies I'll let you know shortly, if not then I think this is the best we can do in the time that we have.

[name redacted]

**From:** [name redacted] Private Office

**Sent:** 29 June 2016 19:10

**To:** SOSFA Action (Sensitive) [names redacted] Private Office, APID

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive); Martin Reynolds (PPS) (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction] OFFICIAL\_SENSITIVE

[name redacted]

Could I get confirmation on these tonight please?

Thanks,

[name redacted] Private Office

**From:** [name redacted] Private Office

**Sent:** 29 June 2016 18:11

**To:** SOSFA Action (Sensitive); [name redacted] APID

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive); Martin Reynolds (PPS) (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

Thank you. Can I confirm that every FS letter on anything to do with Saudi or Yemen (particularly in last six months) has been checked for any erroneous language? Could you also confirm how many letters have been checked?



I know you are seized of this, but it is worth me emphasising that we need to be absolutely certain that we have picked up any errors at this stage, before we inform [redacted] Are you and PRD very confident that the CTS system is accurately showing us all FS letters on these topics, whether to MPs or NGOs or parliamentary committees?

Thanks,

[name redacted] Private Office

**From:** [name redacted] APID

**Sent:** 29 June 2016 16:56

**To:** SOSFA Action (Sensitive) [name redacted] Private Office

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive); [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

PRD/ APID have now gone through the correspondence as requested.

FS correspondence: As outlined in the table below. There are no instances of any further misdrafts.

Mr Ellwood correspondence. PRD have confirmed in the attached, that there are also no incidences of any misdrafts.

I can confirm that we have also checked the FS oral statements in Parliament and PQs. Other than the 3 instances that we originally flagged in our update of yesterday (14.51) we have not found any further misdrafts. A full list of IHL related oral statements by the FS is attached for information.

Please do let us know if you need anything further.

[name redacted]

ID	Sender	Date of letter	Topic	Minister	Status
<a href="#">MIN81347/2015</a> Not relevant, badawi case	Justine Greening	06/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN81541/2015</a> Not relevant, Hajj	Nicola Sturgeon	12/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<a href="#">MIN/88432/2015</a> Not relevant, death penalty	Jim Shannon	01/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88315/2015</a> Not relevant Death penalty	Charlotte Hampel	03/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88628/2015</a> Not relevant, death penalty	Hilary Benn	13/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88630/2015</a> Not relevant, death penalty case	Hilary Benn	13/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88898/2015</a>	John Bercow	19/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/89077/2015</a>	Gerald Kaufman	19/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/89075/2015</a>	Margaret Beckett	20/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/90337/2015</a>	Hilary Benn	27/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/91381/2015</a> Not relevant, death case and letter did not	Andrew Smith	01/12/2015	Saudi Arabia	Foreign Secretary	CANCELLED

issue.					
<a href="#">MIN/91680/2015</a> Not relevant, death penalty	John Bercow	10/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/92700/2016</a>	Hilary Benn	15/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/91909/2016</a> Not relevant to IHL. Re Human rights in Saudi Arabia	John Bercow	28/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/92299/2016</a> Not relevant to IHL as about an execution case.	Theresa Villiers	11/01/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/93749/2016</a>	Andrew Tyrie	05/02/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/95805/2016</a>	John Bercow	23/03/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/95844/2016</a>	Chris Grayling	30/03/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/97112/2016</a>	David Mepham	03/05/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/97469/2016</a>	Greg Clark	12/05/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/98534/2016</a> Not issued yet	John Bercow	07/06/2016	Saudi Arabia	Foreign Secretary	WITH PRIVATE OFFICE
<a href="#">MIN/98473/2016</a> Not issued yet	Gerald Kaufman	07/06/2016	Yemen	Foreign Secretary	WITH PRIVATE OFFICE

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 16:46  
**To:** [name redacted] APID  
**Cc:** [names redacted] PRD  
**Subject:** Yemen/Saudi Letters

[name redacted]

Following on from [name redacted] earlier email. I can now confirm that PRD Team Ellwood/Duddridge have completed a search of all Mr. Ellwood letters for this year and found that there is no letter which quotes the incorrect wording – “*there has not been a breach of IHL*”.

The vast majority of letters on this subject use the standard wording:

*Saudi Arabia has publicly stated that it is investigating reports of alleged violations of IHL, and that lessons will be acted upon. The key test for our continued arms exports to Saudi Arabia in relation to IHL is whether there is a clear risk that those weapons might be used in a serious violation of IHL. Having regard to all the information available to us, we assess that this test has not been met.*

*Kind regards,  
[name redacted]*

Parliamentary Relations Department | Central Policy Group | Foreign and Commonwealth Office

**From:** [name redacted] APID  
**Sent:** 29 June 2016 16:45  
**To:** [name redacted] APID  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

You have the hard copies of these which are relevant to IHL/Yemen.

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 15:44  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD, APID  
**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted],

As discussed,

I've pulled off a list of all FS letters tagged as Yemen or Saudi Arabia since March 2015:

ID	Sender	Date of letter	Topic	Minister	Status
<a href="#">MIN81347/2015</a> Not relevant, badawi case	Justine Greening	06/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN81541/2015</a> Not relevant, Hajj	Nicola Sturgeon	12/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<a href="#">MIN/88432/2015</a> Not relevant, death penalty	Jim Shannon	01/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88315/2015</a> Not relevant Death penalty	Charlotte Hampel	03/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88628/2015</a> Not relevant, death penalty	Hilary Benn	13/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88630/2015</a> Not relevant, death penalty case	Hilary Benn	13/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88898/2015</a>	John Bercow	19/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/89077/2015</a>	Gerald Kaufman	19/10/2015	Yemen	Foreign	COMPLETE

				Secretary	
<a href="#">MIN/89075/2015</a>	Margaret Beckett	20/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/90337/2015</a>	Hilary Benn	27/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/91381/2015</a>	Andrew Smith	01/12/2015	Saudi Arabia	Foreign Secretary	CANCELLED
Not relevant, death case and letter did not issue.					
<a href="#">MIN/91680/2015</a>	John Bercow	10/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
Not relevant, death penalty					
<a href="#">MIN/92700/2016</a>	Hilary Benn	15/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/91909/2016</a>	John Bercow	28/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
Not relevant to IHL. Re Human rights in Saudi Arabia					
<a href="#">MIN/92299/2016</a>	Theresa Villiers	11/01/2016	Saudi Arabia	Foreign Secretary	COMPLETE
Not relevant to IHL as about an execution case.					
<a href="#">MIN/93749/2016</a>	Andrew Tyrie	05/02/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/95805/2016</a>	John Bercow	23/03/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/95844/2016</a>	Chris Grayling	30/03/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/97112/2016</a>	David Mepham	03/05/2016	Yemen	Foreign	COMPLETE

				Secretary	
<a href="#">MIN/97469/2016</a>	Greg Clark	12/05/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/98534/2016</a> Not issued yet	John Bercow	07/06/2016	Saudi Arabia	Foreign Secretary	WITH PRIVATE OFFICE
<a href="#">MIN/98473/2016</a> Not issued yet	Gerald Kaufman	07/06/2016	Yemen	Foreign Secretary	WITH PRIVATE OFFICE

[name redacted]

Parliamentary Relations Department | Foreign and Commonwealth Office | London SW1A 2AH

**From:** [name redacted] APID

**Sent:** 29 June 2016 16:19

**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted] – yes we are checking each FS letter in APID and logging as we discussed.

[name redacted]

[name redacted] | Arabian Peninsula and Iran Department | Foreign and Commonwealth Office

**From:** [name redacted] Private Office

**Sent:** 29 June 2016 16:17

**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

Thanks [name redacted] – we're not looking for CM references in particular, just any reference to arms export to Saudi in the context of Yemen. Personally, I would suggest we check every letter on Yemen or Saudi that has gone from the FS, regardless of topic, in case there are any linked points. Can we do so?

Thank you again,

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 16:02  
**To:** SOSFA Action (Sensitive) [name redacted] Private Office, PRD, APID  
**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Just to add to the picture, I've also checked PM letters tagged "Saudi Arabia" or "Yemen". There have been 16 since March last year and none is about cluster munitions.

[name redacted]

Parliamentary Relations Department | Foreign and Commonwealth Office | London SW1A 2AH

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 15:44  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD, APID  
**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

As discussed,

I've pulled off a list of all FS letters tagged as Yemen or Saudi Arabia since March 2015:

ID	Sender	Date of letter	Topic	Minister	Status
<a href="#">MIN81347/2015</a>	Justine Greening	06/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN81541/2015</a>	Nicola Sturgeon	12/03/2015	Saudi Arabia	Foreign Secretary	COMPLETE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<a href="#">MIN/88432/2015</a>	Jim Shannon	01/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88315/2015</a>	Charlotte Hampel	03/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88628/2015</a>	Hilary Benn	13/10/2015	Saudi	Foreign	COMPLETE



			Arabia	Secretary	
<a href="#">MIN/88630/2015</a>	Hilary Benn	13/10/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/88898/2015</a>	John Bercow	19/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/89077/2015</a>	Gerald Kaufman	19/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/89075/2015</a>	Margaret Beckett	20/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/90337/2015</a>	Hilary Benn	27/10/2015	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/91381/2015</a>	Andrew Smith	01/12/2015	Saudi Arabia	Foreign Secretary	CANCELLED
<a href="#">MIN/91680/2015</a>	John Bercow	10/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/92700/2016</a>	Hilary Benn	15/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/91909/2016</a>	John Bercow	28/12/2015	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/92299/2016</a>	Theresa Villiers	11/01/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/93749/2016</a>	Andrew Tyrie	05/02/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/95805/2016</a>	John Bercow	23/03/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/95844/2016</a>	Chris Grayling	30/03/2016	Saudi Arabia	Foreign Secretary	COMPLETE
<a href="#">MIN/97112/2016</a>	David Mepham	03/05/2016	Yemen	Foreign Secretary	COMPLETE
<a href="#">MIN/97469/2016</a>	Greg Clark	12/05/2016	Yemen	Foreign	COMPLETE

				Secretary	
<a href="#">MIN/98534/2016</a>	John Bercow	07/06/2016	Saudi Arabia	Foreign Secretary	WITH PRIVATE OFFICE
<a href="#">MIN/98473/2016</a>	Gerald Kaufman	07/06/2016	Yemen	Foreign Secretary	WITH PRIVATE OFFICE

[name redacted]

[name redacted] Parliamentary Relations Department | Foreign and Commonwealth Office | London SW1A 2AH

**From:** [name redacted] PRD

**Sent:** 29 June 2016 15:27

**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD, APID

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

Hi [name redacted]

I just doubled checked everything logged to the Foreign Secretary with the subject "Saudi Arabia" or "Yemen" are there are only 12 letters from the start of December to date (my list below only has 11 because I accidentally didn't cut and paste the 12<sup>th</sup>: MIN/92700/2016, dated 15/12/15 from Hilary Benn.

If there are any other letters on this subject they must have been logged against a different subject. As I mentioned, I did check against some others that seemed possible but with no relevant results.

[name redacted]

[name redacted] Parliamentary Relations Department | Foreign and Commonwealth Office |

**From:** [name redacted] Private Office

**Sent:** 29 June 2016 15:16

**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID,

**Cc:** Neil Crompton \* (Sensitive); Neil Bush (Sensitive) [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office

**Subject:** RE: Parliamentary Questions Yemen [correction]

Thanks all – I'm also very surprised that we only have 12 for the last six months – [name redacted] and I are inclined to think we have processed more.

What time do we anticipate we will have a final answer on this?

Thanks again,

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 15:12  
**To:** SOSFA Action (Sensitive) [names redacted] APID, PRD, Private Office  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction] OFFICIAL\_SENSITIVE  
OFFICIAL\_SENSITIVE

Thanks [name redacted], and fair point about the word documents. We'll keep going and do what we can this afternoon.

**From:** [name redacted] APID  
**Sent:** 29 June 2016 15:10  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, Private Office  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[names redacted]

We are in parallel checking the FS correspondence, but we will need to go back until March 2015 and the start of the KSA military campaign. We agree that there seems to be fewer than expected, so we should be able to check these this afternoon.

On Mr Ellwood's correspondence, we do have some word documents but to note across Yemen and Saudi Arabia this will take longer (we are following up with the Saudi team). We are reluctant to check the word version, as opposed to the final version on CTS.

[name redacted] Arabian Peninsula and Iran Department | Middle East & North  
Africa Directorate | Foreign and Commonwealth Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 14:57  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, Private Office, APID  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

It looks as if there are around 400 letters from Mr Ellwood – we would need to go into every one on the system and check to see whether they contain reference to this specific issue.

The system we are working with is very clunky and difficult to use so this could take some time but I have 5 people working on it.

[name redacted], if you as a team keep a record of these letters as word documents anywhere that might be a quicker way to approach it?

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 14:49  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD, APID  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Dear all,

I've been through all FS letters tagged Yemen or Saudi Arabia in the last six months or so. None of them use the incorrect formulation that was in the two PQs (nor did they actually use the correct formulation either). Also checked for letters against other logging terms: "Arms Sales", "Arms Trade Treaty", "Conflict" and "Cluster Munitions and Landmines". There were no relevant letters against these terms.

We are still going through Mr Ellwood letters.

For reference, the FS letters that I went through were:

Reference number	MP	Subject tag
<a href="#">MIN/91381/2015</a>	Andrew Smith	Saudi Arabia
<a href="#">MIN/91680/2015</a>	John Bercow	Saudi Arabia
<a href="#">MIN/91909/2016</a>	John Bercow	Saudi Arabia
<a href="#">MIN/92299/2016</a>	Theresa Villiers	Saudi Arabia
<a href="#">MIN/93749/2016</a>	Andrew Tyrie	Saudi Arabia
<a href="#">MIN/95805/2016</a>	John Bercow	Yemen
<a href="#">MIN/95844/2016</a>	Chris Grayling	Saudi Arabia
<a href="#">MIN/97112/2016</a>	David Mepham .	Yemen
<a href="#">MIN/97469/2016</a>	Greg Clark	Yemen
<a href="#">MIN/98473/2016</a>	Gerald Kaufman	Yemen
<a href="#">MIN/98534/2016</a>	John Bercow	Saudi Arabia

[name redacted]

[name redacted] | Parliamentary Relations Department | Foreign and Commonwealth Office |

**From:** [name redacted] APID  
**Sent:** 29 June 2016 14:44  
**To:** [name redacted] APID  
**Cc:** [name redacted] APID  
**Subject:** FW: Parliamentary Questions Yemen [correction]

[name redacted],

Attached is the list of Saudi IHL oral statements made by the FS. I have checked Hansard to confirm that the texts are accurate and that there are no other oral statements. Below are the only occasions where the FS has mentioned IHL and breach: twice in Parliament

[Attachment redacted]

### **House of Commons Topicals**

**(oral answers)**

**12 Jan 2016,**

**Foreign Secretary in response for Question from Hilary Benn**

**Mr Philip Hammond:** The right hon. Gentleman is absolutely right. I cannot tell him whether it is six people, but we do have a military presence in Saudi Arabia, and we are working with the Saudi Arabians to ensure the following of correct procedures to avoid breaches of international humanitarian law—to ensure that target sets are correctly identified and processes correctly followed and that only legitimate military targets are struck. It is important that we ensure Saudi Arabia has that capability.

We also use the personnel who are present as a quick check—it can only be a quick first check—when we receive reports, as we have recently, of breaches of international humanitarian law that would, for example, involve the deliberate striking of civilian targets. So far, in every case, our people on the ground have reported that there is no evidence of deliberate breaches of international humanitarian law.

### **House of Commons Parliamentary Questions**

**15 February 2016,**

**Foreign Secretary in response for Question from Hilary Benn**

We are looking at the conclusions of the UN Panel of Experts' report carefully. We recognise the importance of the work of the UN Panel of Experts. Looking at the information available to us, we have assessed that there has not been a breach of IHL by the coalition.

[name redacted]

[name redacted] | Foreign and Commonwealth Office | London SW1A 2AH

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 14:22  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID,

**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Thank you – [name redacted] and team happy to help, and we can supplement with staff from PO to review too if needed.

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 14:19  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, APID, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Will do, we're searching for last 6 months – will come back to you shortly with the results.

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 14:17  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID,  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction] OFFICIAL\_SENSITIVE  
OFFICIAL\_SENSITIVE

[name redacted]

Thank you

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 14:13  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, APID, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted],

Our understanding from [name redacted] is that they have already searched PQs and statements so we will now do a search of the correspondence database to see if anything comes up. I assume we need to check letters from both FS and all other ministers – is this correct? The latter is obviously on a much bigger scale so we may need some assistance on checking these given the short time scale.

Thanks

[name redacted]

**From:** [name redacted] APID  
**Sent:** 29 June 2016 13:51  
**To:** DL MENAD - Yemen Team (Sensitive)  
**Subject:** FW: Parliamentary Questions Yemen [correction]

All – FS letters is the one thing I’m not sure we’ve checked. [names redacted] – would you be able to do an urgent check through FS letters on this topic? If it’s possible to go back to [name redacted] in the next 30 mins that would be extremely useful (although recognise this could be a big job).

If that’s not possible, let me know how long you think you might need and i’ll go back to [name redacted].

Many thanks

[name redacted]

Arabian Peninsula and Iran Department | Foreign and Commonwealth Office | King Charles Street,  
London SW1A 2AH |

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 10:45  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

Rec’d – we may have missed our window now, but will certainly try my best.

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 29 June 2016 10:37  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction] OFFICIAL\_SENSITIVE  
OFFICIAL\_SENSITIVE

[name redacted]

Apologies for the delay, please find attached the draft letter which has been cleared by [name redacted] and Neil Bush.

Kind regards

[name redacted]

[name redacted] Arabian Peninsula and Iran Department | Middle East & North  
Africa Directorate | Foreign and Commonwealth Office | London SW1A 2PA  
| [www.gov.uk/fco](http://www.gov.uk/fco)

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 10:29  
**To:** SOSFA Action (Sensitive) [names redacted] APID, PRD

**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted] – sorry to rush you, but if I don't get it soon, then I may struggle to get it signed today. Thanks, [name redacted] Private Office

**From:** [name redacted] APID  
**Sent:** 29 June 2016 10:20  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted] – apologies, this is just with [redacted] for clearance. I hope to have this with you very shortly.

[name redacted]

[name redacted] Arabian Peninsula and Iran Department | Middle East & North Africa Directorate | Foreign and Commonwealth Office

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 10:17  
**To:** [names redacted] Private Office, APID, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction] OFFICIAL\_SENSITIVE  
OFFICIAL\_SENSITIVE

[name redacted] – do you have the draft letter? Thanks, [name redacted]

[name redacted] Private Office

**From:** [name redacted] Private Office  
**Sent:** 29 June 2016 09:43  
**To:** SOSFA Action (Sensitive) [names redacted] APID, PRD  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** Re: Parliamentary Questions Yemen [correction]

[name redacted]

Thank you. [redacted]. Good that we have everything ready to go and can move straight away once we hear.

Thanks, [name redacted]

[name redacted] Private Office

**From:** [name redacted] APID  
**Sent:** Wednesday, June 29, 2016 09:21 AM  
**To:** SOSFA Action (Sensitive) [names redacted] Private Office, PRD



**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

PRD have confirmed that the official correction can be actioned today. [redacted]

[redacted] We are finalising the Hilary Benn later, so this will be with you for 10am.

[redacted]

Kind regards  
[name redacted]

[name redacted] | Arabian Peninsula and Iran Department | KCS WH3.140 | Middle East & North Africa Directorate | Foreign and Commonwealth Office | London

**From:** [name redacted] Private Office  
**Sent:** 28 June 2016 19:30  
**To:** SOSFA Action (Sensitive) [names redacted] PRD, APID  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

Thank you – can you please prepare the draft letter for Benn for 10am tomorrow morning please. Grateful if you could also confirm (by same deadline) how quickly you could amend the PQ [redacted]

Many thanks,

[name redacted] Private Office

**From:** [name redacted] PRD  
**Sent:** 28 June 2016 17:20  
**To:** SOSFA Action (Sensitive) [names redacted] APID, Private Office  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers, Private Office  
**Subject:** RE: Parliamentary Questions Yemen [correction]

The correction should also be made to make sure the FS isn't misleading the House now that the error has been spotted.

[name redacted]

[name redacted] | Parliamentary Relations Department | Foreign and Commonwealth Office

**From:** [name redacted] Private Office  
**Sent:** 28 June 2016 17:10  
**To:** SOSFA Action (Sensitive) [name redacted] APID  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers  
**Subject:** RE: Parliamentary Questions Yemen [correction]

[name redacted]

Thank you for flagging. [redacted]

Many thanks, [name redacted]

[name redacted] Private Office

**From:** [name redacted]  
**Sent:** 28 June 2016 14:51  
**To:** SOSFA Action (Sensitive) [name redacted] Private Office  
**Cc:** [names redacted] Media Office, APID, PRD, Legal Advisers,  
**Subject:** Parliamentary Questions Yemen [correction]

[name redacted]

On 15 February, the FCO provided answers to two PQs that had been asked by Hilary Benn in relation to IHL in Yemen. [redacted]

[redacted] And specifically are being referenced to highlight HMG's position that we have reached a conclusion in relation to Saudi Arabia allegations of IHL breaches by the use of the language "we have assessed that there has not been a breach of IHL".

We have reviewed the relevant PQs (highlighted below) and this language was indeed included in the response. However the correct text should have read "at this stage, looking at all the information available to us, we have **not** assessed that there has been a breach of IHL by the coalition, but continue to monitor the situation closely, seeking further information where appropriate". [redacted]

[redacted] this has significantly changed the meaning of the statement. [redacted]

We have also now reviewed all PQs, FS and Ministerial statements over the last 6 months. We have identified these 2 PQs, in addition to a FS topical oral statement on 12 January which states "there is no evidence of deliberate breaches of international humanitarian law". The IDC Chair Stephen Twigg wrote on 22 March 2016 to the FS requesting clarification on this point, to which we provided a FS written response on 6 April 2016. Besides these examples, the correct HMG position was consistently reflected.

PRD have advised that we would need to correct the Hansard record, by making a factual change to the written PQs response. Any change to the PQ will automatically be notified to the originator

(Hilary Benn). In parallel, PRD have also recommended that the FS writes to Hilary Benn outlining the circumstances for the change. [REDACTED]

If you are content with this approach, PRD will make the necessary changes to Hansard, and we will draft a letter to Hilary Benn to set out the reason for this change. Namely that a misdraft of these PQs could give a misleading sense of HMGs position, which is clearly set out in the remainder of parliamentary responses.

Kind regards

[name redacted]

PQ 24769

*To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Answer of 19 January 2016 to Question 22031, whether he has received any reports from UK personnel working with the Saudi military of (a) negligent and (b) inadvertent potential breaks of international humanitarian law.*

“The UK is not a member of the Saudi-led Coalition. British personnel are not involved in carrying out strikes, directing or conducting operations in **Yemen** or selecting targets. They are also not involved in the Saudi targeting decision-making process. British liaison officers have provided information as part of the Ministry of Defence (MoD) monitoring of incidents of alleged International Humanitarian Law (IHL) violations. **Looking at the information available to us, we have assessed that there has not been a breach of IHL by the coalition, but continue to monitor the situation closely, seeking further information where appropriate**”.

PQ 24771

*To ask the Secretary of State for Foreign and Commonwealth Affairs, what actions he has taken as a result of receiving the Final Report of the UN Panel of Experts on **Yemen**.*

“We are looking at the conclusions of the UN Panel of Experts’ report carefully. We recognise the importance of the work of the UN Panel of Experts. **Looking at the information available to us, we have assessed that there has not been a breach of IHL by the coalition**”.

[name redacted]|Arabian Peninsula and Iran Department| Foreign and Commonwealth Office