



Ministry of Defence

Defence Resources Secretariat
Ministry of Defence
Main Building
Whitehall
London SW1A 2HB
United Kingdom

Reference: **FOI2015/06585**

E-mail: [REDACTED]

Date: **23 November 2015**

Dear [REDACTED]

Your correspondence dated 21 July 2015 has been considered to be a request for information in accordance with the Freedom of Information Act 2000. You requested the following information:

I would like a copy of the Departmental Minutes laid before Parliament in respect of the following gifts recorded in Note 24.7 to the Annual Accounts 2014/15, namely:

- Two gifts of infrastructure to the Government of the Islamic Republic of Afghanistan valued £8,681,000
- Surplus Counter IED equipment to the Government of the Islamic Republic of Pakistan valued £1,000,000

A search within the Ministry of Defence (MOD) has identified that as the result of an accounting error the statement in the MOD's Annual Report and Accounts 2014-2015 that two gifts of infrastructure were gifted to the Government of the Islamic Republic of Afghanistan was incorrect. Only one gift should have been recorded in the accounts and the figure of £8,681,000 should have been reported as £1,636,000.

Please find attached the Departmental Minutes for the two gifts over £300,000.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail: CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

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>.

I hope you find this helpful.

Yours sincerely,

Defence Resources Secretariat

DEPARTMENTAL MINUTE DATED 30 JUNE 2014 CONCERNING THE GIFTING OF EQUIPMENT AND INFRASTRUCTURE TO THE GOVERNMENT OF THE REPUBLIC OF AFGHANISTAN

It is the normal practice, when a Government Department proposes to make a gift of a value exceeding £300,000, for the Department concerned to present to the House of Commons a Minute giving particulars of the gift and explaining the circumstances; and to refrain from making the gift until fourteen Parliamentary sitting days after the issue of the Minute, except in cases of special urgency. The proposed gifts in this case are to the Government of the Islamic Republic of Afghanistan (GIROA).

Towards the end of 2014, UK forces will redeploy from Southern Helmand, returning Camp Bastion to GIROA. The built infrastructure will largely remain in place together with some equipment that will be required by UK forces to the end; and as such cannot be sold or redeployed.

This gifting is expected to underpin the transition by supporting the further development of a capable, credible and confident Afghan National Security Forces (ANSF), within a sustainable security footing. The combined effect of training, mentoring and sustainment through gifting, will help secure the positive support of the ANSF to UK and US forces and increase the capability of the ANSF. This is seen as being a key factor in enabling a low risk extraction of the UK and US forces from Camp Bastion.

There has been very little UK property gifted to GIROA, except in a small number of cases where the handover of infrastructure at outlying locations has saved the cost to the UK of remediation and reduced the risk to life. Our priority has been to seek best value for the taxpayer through redeployment and by the release of surplus property for sale. This policy will remain during our extraction from Bastion and where the opportunity arises to redeploy valuable equipment for future contingency operations, rather than gifting, this will be undertaken.

Items to be gifted to GIROA at Camp Bastion fall into four broad categories as follows:

- a. Permanent infrastructure including equipment such as generators required to maintain the function and integrity of the buildings as required by UK force elements up to the point of departure.
- b. Equipment scheduled for redeployment but which is required to the end for the sustainment of the force and may not be able to be redeployed, either through time or physical constraint.
- c. Equipment scheduled for disposal, but required for the maintenance of the force beyond the point where it can be realistically sold due to insufficient time to bring it to market.
- d. Materiel for which disposal is not economically viable.

The total cost of the proposed gifting package for GIRoA is £1,636,000. These costs are directly attributable to the Afghanistan operation and will therefore be met from the Special Reserve.

To mitigate any residual legal liability to the UK as a result of returning Camp Bastion to the Afghans, we have engaged with the Defence Land agent to ensure the development of an appropriate Land Transfer Certificate. This document, along with the 2005 Memorandum of Understanding between the UK and GIRoA, mitigates the risk of future claims.

The Treasury has approved the proposal in principle. If, during the period of fourteen Parliamentary sitting days beginning on the date on which this Minute was laid before the House of Commons, a Member signifies an objection by giving notice of a Parliamentary Question or of a Motion relating to the Minute, or by otherwise raising the matter in the House, final approval of the gift will be withheld pending an examination of the objection.

DEPARTMENTAL MINUTE DATED 14 JANUARY 2015 CONCERNING THE GIFTING OF EQUIPMENT TO THE GOVERNMENT OF PAKISTAN

1. It is the normal practice when a Government Department proposes to make a gift of a value over £300,000, for the Department to present to the House of Commons a Minute giving particulars of the gift and explaining the circumstances; and to refrain from making the gift until fourteen parliamentary sitting days after the issue of the Minute, except in cases of special urgency.

2. The gift in this case is to the Government of the Islamic Republic of Pakistan. The equipment will comprise of 800 Vallon IED metal detectors, 50 Chevette Improvised Explosive Device (IED) disposal robots, and 2,148 Chevette spare parts. The provision of this equipment is a direct response to a request from Pakistan for surplus equipment to help them tackle the threat from IEDs.

3. Pakistan faces a severe threat from IED attacks perpetrated by terrorist groups and insurgents based within the country. Pakistan has sought assistance from the UK in tackling this threat and developing the capabilities of its security forces. The UK is delivering a counter-improvised explosive device (C-IED) programme to assist Pakistan in establishing a multi-agency capability for tackling IEDs. The programme aims to build capacity to dismantle IED networks and improve intelligence available to countering emerging IED threats.

4. This package of equipment will support training to provide the military and law-enforcement agencies with a valuable and sustainable capability to deal with the IED threat. The total sales foregone cost of the proposed UK package is approximately £1m.

5. Developing counter-terrorism capability in Pakistan supports our objectives under the Counter-Terrorism Strategy (CONTEST), targets the problem at source and reduces the risk of a terrorist attack against that nation or another. The gifting of military equipment to foreign Governments or entities is assessed against the Consolidated EU and National Arms Export Licensing Criteria. An assessment has been made for this package and raises no concerns, in line with previous CIED gifting packages to Pakistan approved by Parliament.

6. The Treasury has approved the proposal. If, during the period of fourteen parliamentary sitting days beginning on the date this minute was laid before the House of Commons, a Member signifies an objection by giving notice of a Parliamentary Question or of a motion relating to the Minute, or by otherwise raising the matter in the House, final approval of the gift will be withheld pending an examination of the objection. Three Foreign and Commonwealth Office departmental minutes laid on 15 October 2012, 18 November 2013 and 30 June 2014 in relation to C-IED gifts to Pakistan were cleared by Parliament.

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