



MINISTRY OF DEFENCE

SIT-Corporate Support Secretariat
Ministry of Defence
Main Building (01/K/47)
Whitehall
London SW1A 2HB
United Kingdom

Telephone [MOD]: +44 (0)20 7218 9000

Facsimile [MOD]: +44 (0)20 7218 9948

E-mail: Richard.John492@mod.uk

Reference: SIT/4/1

Mr Martin Butcher

E-mail: request-9762-7b4623ad@whatdotheyknow.com

14 May 2009

Dear Mr Butcher,

1. I am writing to follow up my e-mail of 21 April in response to your's of 25 March in which you requested:

"Please list, for all meetings since 1992, the date, title and purpose of all JOWOGs and SUBWOGs meetings that have been held under the 1958 Mutual Defence Agreement between the United States and United Kingdom"

2. This letter is to inform you that the Ministry of Defence (MOD) holds information on the subject you have requested. It has been assessed that the costs for which we are permitted to charge in providing this information will exceed the appropriate limit. This appropriate limit is specified in regulations and for central government is set at £600. This represents the estimated cost of one person spending 3 and a half working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Science and Technology Corporate Support has estimated that in order to retrieve the documents that you have requested would cost in excess of the £600 limit. Under the terms of Section 12 of the FOI Act, this means that we are not obliged to comply with your request. We have over 40 boxes of files on the subject relating to your request and to go through all of these would take approximately 60 working days. However, should you refine your request for the information requested it is likely to fall within the scope of the following qualified exemption(s): Section 24 [National Security] and Section 27 [International Relations].

3. Your request is for information on the exchange mechanisms for the 1958 Mutual Defence Agreement. You may not be aware but a similar question was asked in Parliament by Mr Nick Harvey MP and was answered by the Secretary of State for Defence on 27 February 2009 (Official Report, Column 1149W). This was followed up by a further question on the subject by the same MP which also was answered by the Secretary of State for Defence on 23 March 2009 (Official Report, Column 17W). The following extracts from the Official Report confirm the replies given:

Hansard, 27 February 2009 - Official Report, Column 1149W.

Nick Harvey: *To ask the Secretary of State for Defence what the date was of each meeting of the Joint Working Group since 2001; and what the purpose of each meeting was. [258424]*

Mr. Hutton: The following Joint Working Groups (JOWOGS) and Specialised Working Groups operate under the auspices of the 1958 Mutual Defence Agreement:

<i>Joint working group</i>	<i>Title</i>
6	<i>Radiation Simulation and Kinetic Effects</i>
9	<i>Energetic Materials</i>
22	<i>Nuclear Materials</i>
23	<i>Warhead Electrical Components and Technologies</i>
28	<i>Non-Nuclear Materials</i>
29	<i>Nuclear Counter-Terrorism Technology</i>
30	<i>Facilities</i>
31	<i>Nuclear Weapons Engineering</i>
32	<i>Nuclear Warhead Physics</i>
34	<i>Computational Technology</i>
36	<i>Aircraft, Missile and Space System Hardening</i>
37	<i>Laboratory Plasma Physics</i>
39	<i>Manufacturing Practices</i>
41	<i>Nuclear Warhead Accident Response</i>
42	<i>Nuclear Weapon Code Development</i>
43	<i>Nuclear Weapon Environment and Damage Effects</i>
44	<i>Methodologies for Nuclear Weapon Safety Assurance</i>

Since January 2001 the following number of JOWOG and JOWOG—related meetings have taken place:

	<i>Meetings in the US</i>	<i>Meetings in the UK</i>	<i>Total number of meetings</i>
2001	118	62	180
2002	133	66	199
2003	133	58	191
2004	118	87	205
2005	168	75	243
2006	159	80	239
2007	207	91	298

2008	187	93	280
2009 (to date)	23	10	33

I am withholding further detail of the content of JOWOG discussions in the interests of national security.

Hansard, 23 March 2009 - Official Report, Column 17W

Nick Harvey: *To ask the Secretary of State for Defence what the date was of each meeting of each sub-group of each Joint Working Group since 2001; and what the purpose was of each meeting. [265112]*

Mr. Hutton: *I refer the hon. Member to the answer I gave him on 27 February 2009, Official Report, column 1149W. In the interests of national security I am withholding further information on the nature or extent of work undertaken by these Joint Working Groups.*

4. Some information on the 1958 Mutual Defence Agreement is already available in the public domain and is therefore exempted from release under Section 21 of the FOI Act – “Information accessible to the applicant by other means.” For example, information can be found on the following websites:

www.nationalarchives.gov.uk/

www.energy.gov/

www.osti.gov/

www.sandia.gov/

5. 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 Head of Corporate Information, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-XD@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.

6. 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.gov.uk>.

Yours sincerely,

Richard John