

23 February 2024

195 Lambton Quay
Private Bag 18–901
Wellington 6160
New Zealand

Personal details removed for proactive release

T +64 4 439 8000
F +64 4 472 9596

OIA 29007

Personal details removed for proactive release

I refer to your letter of 2 January 2024 in which you request the following under the Official Information Act 1982 (OIA):

I would like to request the following information and copies of relevant documents:

- 1. For the year ended 2023 I would like to receive a list of all New Zealand exports to Indonesia classified as military goods under Part 1 of the Strategic Goods List (SGL).*
- 2. I would also like to see for each export a description of its classification under the SGL as well as the value of each export.*
- 3. I would also request to know the name of the exporter for each relevant export and the name of the end user of the product.*
- 4. If the end user is the Indonesian Security Forces, please specify whether police or military and which branch of each Force.*

On 12 February 2024, the timeframes for responding to your request were extended by an additional 18 working days due to the consultations necessary to make a decision on your request (section 15A(1)(b) of the OIA refers).

For the 2023 calendar year, three General Consent permits which fall under Part 1 of the Strategic Goods List (SGL), were live (i.e. able to be used to export goods).

One of these permits was not used.

We have answered each of your four questions under the below headings for the two permits that we understand to have been used.

Export Permit One:

- This permit was for technical data (including drawings and descriptions). This was to support quote generation for the manufacture of training equipment in Indonesia for supply to the Singapore Armed Forces.
- This export was classed as ML14 *“Specialised equipment for military training’ or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon specified by ML1. or ML2., and specially designed components and accessories therefore”.*

Further information about goods classed as ML14 can be found on page 59 of the New Zealand Strategic Goods List November 2021 on the Ministry website at: <https://www.mfat.govt.nz/assets/Trade-General/Brokering-weapons-AND-Trading-weapons-and-controlled-chemicals/NZ-Strategic-Goods-List-November-2021.pdf>

Export permit one is a General Consent. The Ministry has the option of waiving the reporting requirements (inclusive of the value), this was the case for the General Consent in question. Therefore, we are refusing this part of your request under section 18(g) of the OIA, as the information requested is not held by the Ministry and is not believed to be held by another department.

3. The Ministry does not release the name of the exporter or End User unless it is a government organisation. As the exporter and End User are not a government organisation, your request for the name of the exporter is refused under section 9(2)(ba) of the OIA, to protect the supply of confidential information by another party.
4. As the end user is not the Indonesian Security Forces, we refuse number four of your OIA request under section 18(e) of the OIA, as the information you requested does not exist.

Export Permit Two:

1. This permit was for hardware including (components, samples and test equipment), technical data including (drawings and descriptions) and software (including source code) to support manufacture of training equipment (simulation equipment) in Indonesia for supply to Singapore Armed Forces.
2. This export was classed as ML21 "*software*", and ML22 "*Technology*".

Further information about goods classed as ML21 and ML22 can be found on pages 63 and 64 of the New Zealand Strategic Goods List November 2021 on the Ministry website at: <https://www.mfat.govt.nz/assets/Trade-General/Brokering-weapons-AND-Trading-weapons-and-controlled-chemicals/NZ-Strategic-Goods-List-November-2021.pdf>

Export permit two is a General Consent. The Ministry has the option of waiving the reporting requirements (inclusive of the value), this was the case for the General Consent in question. Therefore we refuse this part of your request under section 18(g) of the OIA, as the information requested is not held by the Ministry and is not believed to be held by another department.

3. The Ministry does not release the name of the exporter or End User unless it is a government organisation. As the exporter and End User are not a government organisation, your request for the name of the exporter is refused under section 9(2)(ba) of the OIA, to protect the supply of confidential information by another party.
4. As the end user is not the Indonesian Security Forces, we refuse number four of your OIA request under section 18(e) of the OIA, as the information you requested does not exist.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information

removed) may be published on the Ministry website: www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/

If you have any questions about this decision, you can contact us by email at: DM-ESD@mfat.govt.nz. You have the right to seek an investigation and review by the Ombudsman of this decision by contacting www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to be 'SC', written in a cursive style.

Sarah Corbett
for Acting Secretary of Foreign Affairs and Trade