



Ministry
of Defence

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Thank you for your letter of 23 June 2015 which requested the following information: -

“Can I refine my question regarding 2005 and 2006 to details of operations to destroy chemical weapons in the MND(SE) AOR where UK personnel or supplied explosives were used in any role.

I would also like copies of the reports that included the number and nature of the chemical weapons that were sent through MND(SE) about these destruction operations”

Your correspondence has been treated as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and we can confirm that some information in scope of your request is held.

The information you have requested can be found enclosed, but some of the information falls entirely within the scope of the absolute exemptions provided for at sections 40 (Personal Data), and qualified exemptions provided for at sections 26 (Defence), and 27 (International Relations) of the FOIA and has been withheld.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is no requirement therefore to consider the public interest in making a decision to withhold the information.

Section 26 and Section 27 are qualified exemptions and are subject to public interest testing, which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 26(1)(b) has been applied to some of the information because it contains details which are operationally sensitive in terms of what it would disclose about how we detect, test, transport and dispose of CBRN material. Its disclosure would therefore prejudice the capability

and effectiveness of our armed forces. The balance of public interest was found to be in favour of withholding the information on this basis, as it would provide tactical advantage to our

enemies. For these reasons, we have set the level of prejudice against release of the exempted information at the higher level of “would” rather than “would be likely to”.

Section 27(1)(a) has been applied because some of the information has the potential to adversely affect relations with our allies. The balance of the public interest test concluded that whilst release would increase public understanding and confidence in the relation the United Kingdom has with other international states in its assistance with operations, the balance of the public interest lay in withholding the information that you desire. We have considered it necessary to apply the higher level of prejudice against release of the exempted information at the higher level of “would” rather than “would be likely to”.

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 this office 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>.

Yours sincerely,
PJHQ J9 FOI Secretariat