



# Ministry of Defence

Ref: FOI2016/06026

Ministry of Defence  
Main Building (04/D/29)  
Whitehall  
London SW1A 2HB  
United Kingdom

Telephone: 0306 770 2383

E-mail: [sappolsec@dgsap.mod.uk](mailto:sappolsec@dgsap.mod.uk)

Mr O. Sprague

E-mail address:

[request-339169-](mailto:request-339169-1b3dccbe@whatdotheyknow.com)

[1b3dccbe@whatdotheyknow.com](mailto:1b3dccbe@whatdotheyknow.com)

05 July 2016

Dear Mr Sprague,

Your correspondence dated 08 June 2016 has been considered to be a request for information in accordance with the Freedom of Information Act 2000. You requested the following information:

*I am asking for relevant documents in the form of departmental minutes; submissions; briefing notes; written statements; correspondence electronic or otherwise and / or any other relevant information available on the replacement, destruction or removal of stocks of BL-755 cluster bombs in Saudi Arabia or the United Arab Emirates following the entry into force of the Cluster Munitions Convention 2008. (CMC)*

*Specifically, I wish to receive copies of documents relating to:*

- 1) Records held by the department on the legal implications relating to supply, training, maintenance, upgrade or other assistance relating to stocks held of BL-755 cluster munitions by either Saudi Arabia or UAE under pre-existing defence contracts following the entry into force of the 2008 CMC.*
- 2) Records held by the department of any initiatives to destroy, remove or replace existing stocks of BL-755 cluster munitions in Saudi Arabia or UAE following the entry into force of the 2008 CMC*
- 3) Records held by the department relating to guidance issued to UK persons working under existing defence contracts in either Saudi Arabia or UAE detailing those persons' legal obligations under the 2008 CMC or the corresponding Cluster Munitions (Prohibitions) Act 2010.*
- 4) Records held by the department of changes made to training, maintenance or re-supply contracts as they relate to existing stocks of BL-755 Cluster munitions held by Saudi Arabia or the UAE following the entry into force of the 2008 CMC*

*If it is not possible to provide information relating to all four points noted above, I would like to be provided with whatever information is available relating to any of the information requested above.*

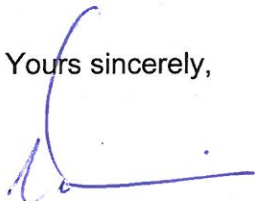
This letter is to inform you that the MOD holds information related to your request, but that we believe the information falls within the scope of the following qualified exemptions: Section 27 (International Relations), Section 29 (Economic Interests of the UK), Section 36 (Prejudice to Effective Conduct of Public Affairs) and Section 43 (Commercial Interests). As such it is necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

The Freedom of Information Act requires us to respond to requests promptly, and in any case no later than 20 working days after receiving your request. However, when a qualified exemption applies to the information and the public interest test has to be conducted, the Act allows the time for response to be longer than 20 working days. A full response must be provided within such time as is reasonable in all circumstances of the case and, in relation to your request, we estimate that it will take an additional 20 working days to take a final decision on where the balance of public interest lies. We therefore plan to let you have a response by 03 August 2016. If it appears that it will take longer than this to reach a conclusion we will let you know.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review must be made within 40 working days of the date of this letter.

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,



Shane Wallis  
PolSec/MOD