



Foreign &
Commonwealth
Office

Middle East and North Africa Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: <https://www.gov.uk>

22 February 2017

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0046-16

Thank you for your email of 15 January 2016 in which you asked for the below under the FOI Act (FOIA). I apologise for the length of time taken to reply to your response.

“This is a request for information under the Freedom of Information Act. My request relates to the comments made by the Foreign Secretary Philip Hammond on 12th January 2016... I would therefore like to request all internal and external correspondence and communications held by the Foreign and Commonwealth Office on the UK’s military presence – whether that “presence” is a group or a unit of personnel, or several individuals - in Saudi Arabia, that are working with the Saudi Arabians to ensure that correct procedures are being followed in the context of international humanitarian law. By ‘correspondence and communications,’ I expect this to include, but not limited to:

· Emails Letters Memos Briefing papers Transcripts Notes taken during telephone conversations Text messages Datasets

.... I'm not asking for correspondence and communications about the UK military presence in Saudi Arabia in general.

*I'm asking for correspondence and communications specifically relating to the conflict in Yemen where UK military personnel are working with the Saudi Arabians to ensure that there is an adherence to international humanitarian law. As for narrowing the timeframe, would **1st December 2015** to the day this request is processed suffice? Or does it require further refinement?”*

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. Enclosed with this response is a digest of that information that we are able to provide to you.

The UK is not a member of the Saudi-led Coalition conducting operations in Yemen. The UK does have a very small number of staff working in Saudi military headquarters in a liaison capacity only, and has assisted the Saudi coalition in a number of training roles.

However, notwithstanding that there are limited number of liaison officers based in Saudi Arabia full-time, as part of our longstanding defence engagement relationship with Saudi Arabia we work extremely closely with their military and diplomatic officials (often at a senior level) on International Humanitarian law compliance. We have provided training courses and advice and guidance in the UK and Saudi Arabia. This includes International Targeting courses for Royal Saudi Air Force personnel, to improve their targeting processes and support International Humanitarian Law compliance.

We had been considering whether some of the information should be withheld under Section 27 – International Relations. We have established that no information should be withheld under Section 27.

Some of the information the Foreign and Commonwealth Office holds in relation to your request is being withheld under Section 35 (1) (a) of the Freedom of Information Act. This exemption requires the consideration of the public interest test. There were a number of factors that we considered under test. Factors in favour of releasing the information included the general public interest in disclosure and greater transparency of the decision making process. Factors in favour of withholding the information included the consideration that good government depends on good decision making and needs to be based on the best advice available and a full consideration of all the options. The advice should be broad based and there may be a deterrent effect on external experts or stakeholders who might be reluctant to provide advice because it might be disclosed. A further consideration was that the impartiality of the civil service might be undermined if advice was routinely made public as there is a risk that officials could come under political pressure not to challenge ideas in the formulation of policy, thus leading to poor decision making. We therefore believe that the factors in favour of withholding the information regarding the policy formulation outweigh the factors in favour of disclosing the information.

Some of the information you requested has been withheld as it falls under Section 40 of FOIA – personal information. The nature of your request means that the information found contains personal data relating to living third parties, the disclosure of which would contravene one of the data protection principles. In such circumstances Sections 40(2) and (3) of the Freedom of Information Act apply. In this case our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which in our view, would be breached by disclosure. In such circumstances Section 40 of the Act confers an absolute exemption on disclosure. There is therefore no public interest test to apply.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on [gov.uk](https://www.gov.uk) in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

The information being supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Most documents supplied by the FCO will have been produced by government officials and will be protected by Crown Copyright. To re-use Crown Copyright documents please consult the [Open Government Licence v3](#) on the National Archives website. Information you receive which is not subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non-Crown Copyright) information.

Yours sincerely,

Gulf Team



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.