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File: DSC_02_01_09

 MoD FOI Ref:
 08-05-2007-172502-007

 Date: 16 August 2007

Dear XX XXXXXXXX,

Request For Information – Nuclear Weapon Incident in Germany

Further to my letter of 20 July 2007, concerning your request for draft or final unpublished reports investigating the incident involving a WE177 nuclear weapon in Germany in May 1984, I can confirm that the consultation with subject matter experts in relation to your request is now complete.

The following information falls within the scope of your request:

- Board of Inquiry convened at Royal Air Force Brüggen at 1430 hours on 3 May 1984 – dated 17 July 1984.
- Incident at RAF Brüggen – A Viewpoint. Reference: SDE/WHJ-JRG/15/01/84 – dated 6 June 1984.
- Accident to a containerised WE177 on 2 May. Reference: D/DP(N)/16/1/4 – dated May 1984.

Disclosure to the information you have requested has been considered with reference to the applicability of the Act. In all cases, the balance of public interest for and against the release of the reports was considered with, in accordance with the Act, a presumption in favour of release.

The FOI Act provides a framework within which decisions can be made as to whether the balance of public interest lies on the release or withholding of information on a case by case basis. The Act therefore contains a number of exemptions to the general right of access. The exemptions ensure that decisions to release or withhold information are taken with the interest of the public as a whole firmly to the fore.

I am, in accordance with the provisions of the Act, enclosing copies of all the reports that fall within the scope of your request. A limited amount of information has been redacted, full details of which are provided at Annex A. In addition, personal names

have been withheld, as they were not asked for, nor are they considered to be a substantive part of the information requested.

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In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. The MOD therefore will be simultaneously posting the information you requested, together with any related information that will provide a key to its wider context, in our online FOI Disclosure Log at <http://www.foi.mod.uk>.

If you are unhappy 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 Director of Information Exploitation, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail Info-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.

If you remain unhappy 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 the case until the 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.informationcommissioner.gov.uk>.

Yours sincerely,

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May 1984 at RAF Brüggen, Germany

a. **Board of Inquiry convened at Royal Air Force Brüggen at 1430 hours on 3 May 1984**

Personal names have been withheld, as they are not relevant to the information requested.

b. **Incident at RAF Brüggen – A Viewpoint**

Whilst the public have an interest in the safety of nuclear weapons (past, present and future), the release of any nuclear weapon design information could be used by a mischievous, or in the worse case scenario, a rogue state. The balance of public interest clearly lies in MoD withholding sensitive nuclear weapon design information, as the potential harm is greater than any benefit of releasing the information. Nuclear weapons design information has therefore been withheld under Section 24 (National Security) of the FOI Act. Personal names have also been withheld, as they are not relevant to the information requested.

c. **Accident to a containerised WE177 on 2 May**

A personal name has been withheld, as it is not relevant to the information requested.