

Steve Head  
Information Officer



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Mr Nick Hildyard and colleagues  
The Corner House  
Station Road  
Sturminster Newton  
Dorset  
DT10 1YJ

23 September 2008

Dear Mr Hildyard and colleagues

**FREEDOM OF INFORMATION REQUEST: FOI(08)31**

I refer to your letter dated 26 August 2008, which contained a number of requests for information, each relating to recent events which may relate to the Baku-Tbilisi-Ceyhan ("BTC") oil pipeline. We have treated your letter as requesting the following pieces of information:

- 1) All reports, emails and minutes of meetings held by ECGD staff to assess the risks of the BTC project contributing to a resurgence of conflict in the Southern Caucasus; and
- 2) All reports, emails and minutes of meetings held by ECGD staff to assess the risks to the BTC pipeline from sabotage.

As well as requested that ECGD:

- 3) Confirm that BTC Co has submitted an incident report, as required under the Common Terms Agreement, and make that report public; and
- 4) Confirm that neither BTC Co nor any of the host governments have invoked Force Majeure.

On your specific requests for information:

**1) and 2):** We have considered these requests under the Freedom of Information Act 2000 (the "FOIA") and estimate that the cost of determining whether or not ECGD holds information falling within the description specified in your request would exceed the appropriate limit of £600. The appropriate limit has been specified in regulations; for central Government, it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether ECGD holds the information. Under



section 12 of the FOIA, ECGD is accordingly not obliged to comply with your request and we will not be processing your request further.

If you were to make a new request for information requiring a search of a smaller number of files, it may be that we could comply with that request within the appropriate limit, although I cannot assure you that this would be the case, particularly due to the age, number, and nature of our files. Even if we were able to comply with the request within the appropriate limit, our response would further be subject to consideration of whether release of the information would be covered by one or more grounds for exemption from disclosure, which we have not been obliged to consider for the purposes of this letter.

**3) and 4):** Since we understand these requests to relate to the fire and explosion in Turkey, we have considered them under the Environmental Information Regulations 2004. I can confirm that, as of 23 September 2008, no 'incident report' had been received from BTC Co relating to the fire and explosion in Turkey. However, BTC Co has submitted an 'incident notice' relating to the fire and explosion, a copy of which is attached.

BTC Co invoked Force Majeure under the financing arrangements on 6 August 2008 and on 14 August 2008. I can also confirm that Force Majeure was revoked by BTC Co as of 25 August 2008. As of 23 September 2008, ECGD is not aware that any of the host governments have invoked Force Majeure.

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this letter. If you wish to request an internal review, please contact Steve Roberts-Mee, Senior Information Officer, ECGD, 2 Exchange Tower, Harbour Exchange Square, London E14 9GS, or email: [information.access@ecgd.gsi.gov.uk](mailto:information.access@ecgd.gsi.gov.uk) if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely



**Steve Head**  
**Information Officer**

