



Foreign & Commonwealth Office

Near East Department
Foreign and Commonwealth Office
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25 April 2018

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 1171-17

Thank you for your email of 09 December 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

“Please provide copies of all diplomatic telegrams and correspondence from the British Embassy in Israel between December 6, 2017, and today (Dec 9 - up to the time of this email) relating to the decision by Donald Trump to recognise Jerusalem as the capital of Israel”

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. Please find attached the information that the FCO can release to you. Some of the information is being withheld under Section 27 – International relations, Section 35 – formulation of government policy and Section 40 – personal information of FOIA.

Some of the information within the scope of your request is exempt under Sections 27(1) and (2) of the Act as it relates to information that would either prejudice UK interests, or is confidential Government to Government discussion with other States and international organisations (in this instance, with the USA, Israel, the EU and its Member States). The application of section 27 requires us to consider the public interest test arguments in favour of releasing and withholding the information. We acknowledge that releasing information on this issue would further public understanding and participation in the debate of the issue. However, section 27 recognises that the effective conduct of international relations depends upon maintaining trust and confidence between states. The disclosure of confidential information obtained from Israel, the USA and the EU could potentially damage the bilateral relationship between the UK and these states and international organisations. This would

reduce the UK Government's ability to protect and promote UK interests through its relations, which would not be in the public interest. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Section 35(1)(a) formulation of government policy has also been considered, it is recognised that there is public interest in greater transparency in the decision making process to ensure accountability within public authorities. However, officials need to be able to conduct rigorous and candid risk assessments of their policies and programmes including considerations of pros and cons without there being a risk of premature disclosure which might close off better options and inhibit the free and frank discussion of all policy options. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosure.

I also wish to advise that 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.

Yours sincerely,

Near East Department



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.