



Foreign & Commonwealth Office

Eastern Europe and Central Asia Directorate
Foreign and Commonwealth Office
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9 October 2014

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

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0877-14

Thank you for your email of 12 September asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

Please provide copies of all correspondence (including emails and their attachments) from the British Embassy in Moscow to the Foreign and Commonwealth Office regarding the World Cup 2018 from 1st January 2014 to the present day.

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. I am pleased to release the information that we are able to disclose (see attached digest). Some of the information enclosed does not fall strictly within the scope of your request. However, we provide this information voluntarily to give greater context.

Some of the information you requested is exempt from release under the following exemptions of the Act:

Section 27 (1) (a) (c) (d) international relations,
Section 40 (2) and (3) personal information,
Section 41 (1) information provided in confidence, and
Section 43 (2) commercial interests

Section 27 (1) (a) (c) (d)

Some of the information you have requested is being withheld under section 27 (1) (a) (c) and (d) of the FOIA. Section 27 (1) (a) (c) and (d) provide that information is exempt if its disclosure would or would be likely to prejudice the relations between the UK and any other state, the interests of the UK abroad, or the promotion or protection by the UK of its interests abroad.

In applying section 27 we have had to balance the public interest in withholding the information against the public interest in disclosing it. Factors in favour of disclosure include the public interest in transparency and, accountability as well as interest in wider international relations and the World Cup 2018. Factors against disclosure include the strong public interest in ensuring that the FCO are able to conduct the UK's international relations effectively and protect UK interests abroad. The effective conduct of the UK's international relations depends upon maintaining the trust and confidence of other governments. To do this there must be good working relationships with other governments, in this case the Russian based on confidence and trust. This relationship of trust allows for the free and frank exchange of information, both between Governments but also between politicians on the understanding that it will be treated in confidence. If the UK does not maintain this trust and confidence, our ability to protect and promote UK interests through international relations, will be hampered. Other governments may be more reluctant to share information with the UK Government in future, and may be less likely to respect the confidentiality of information supplied by the UK Government to them, to the detriment of UK interests. For these reasons, we consider that the public interest in maintaining this exemption outweighs the public interest in disclosure.

Section 40 (2) and (3) Personal Information

Some of the information you have requested is personal data relating to third parties, the disclosure of which would contravene the first data protection principle. This states that personal data should be processed fairly and lawfully. Section 40(2) and (3) of the FOIA therefore apply. It is the fairness aspect of this principle which, in our view, would be breached by disclosure. In such circumstances section 40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Section 41 (1) Information provided in confidence

Some information has been withheld under Section 41(1), as it is information that was provided in confidence. It is our view that disclosure of this information would constitute an actionable breach of confidence and so disclosure would also be unlawful under the Act. In these circumstances, Section 41 of the FOIA confers an absolute exemption on disclosure and there is no public interest test to apply.

Section 43 (2) Commercial interests

Section 43(2) of FOIA exempts from disclosure information which would be likely to prejudice the commercial interests of any person. Section 43(2) is a prejudice-based exemption, so the test for exemption is whether or not the individual's commercial interests would be prejudiced by disclosure and again, it is subject to balancing the public interest. It is recognised that there is a general public interest in the disclosure of commercial information to ensure, for example: transparency in the accountability of public funds; proper scrutiny of government action; and the effective use of public money.

However, where disclosure would make it less likely that companies or individuals would provide the department with information in the future, or where disclosure would make it more difficult for individuals to be able to conduct commercial transactions, or have future dealings with public bodies, without fear of suffering commercially as a result, these are

factors that may weigh in favour of non-disclosure. Given our assessment of the above factors, in this case, we consider the balance of public interest favours withholding this information.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless it is exempt. The information we have supplied to you may now be published on our website together with any related information that will provide a key to its wider context.

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Yours sincerely,

Eastern Europe and Central Asia Directorate



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