



Foreign &
Commonwealth
Office

Sudan and South Sudan Unit
Foreign and Commonwealth Office
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12 July 2017

Your Freedom Of Information Request: FOI 0041-17

Thank you for your request for information which we received on 12 January 2017. In your request you asked for:

“All correspondence, including emails and eGrams, relating to the visit in January 2017 of Simon McDonald to Sudan.

All meetings undertaken by Mr McDonald during his visit to Sudan, including: who was in attendance, the agenda, minutes from the meetings and any follow-up correspondence between representatives at the meeting.”

I can confirm that the Foreign and Commonwealth Office does hold information falling within the terms of your request. I am pleased to enclose the material which we can release to you. The released material includes fact sheets from the World Food Programme. These fact sheets are from the situation in Darfur in 2016.

Some information is being withheld under the following exemptions of the FOI Act:

- Section 24 – National Security
- Section 27 – International relations
- Section 38 - Health and Safety
- Section 40 - Personal information

The application of section 27 (1) (a)(c)(d) 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 increase public knowledge about our relations with Sudan. However, section 27 (1) (a)(c)(d) recognises that the effective conduct of international relations depends upon maintaining trust and confidence between governments and if the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered, which will not be in the public interest. The disclosure of information detailing the PUSs visit to Sudan could potentially damage the bilateral relationship between the UK and Sudan and other

neighbouring states. This would reduce the UK government's ability to protect and promote UK interests through its relations with Sudan and other neighbour states, 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 it.

Some information is specifically being withheld under section 38 (1) (a) and (b) of the Act. In applying the public interest test we took into consideration the factors in favour of disclosure; in this case that releasing such information would demonstrate openness and public accountability towards the travel arrangements for the FCO personnel to the Sudan. But disclosing specific details of travel arrangements would pose a significant risk to the personal safety of the FCO personnel when travelling to Sudan. Therefore, I have concluded that the public interest in maintaining this exemption outweighed the public interest in disclosing the information.

Some of the information you have requested, is personal data relating to 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, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Some information is also exempt under section 24 (1) (National Security) of the Freedom of Information Act. Section 24 is a qualified exemption, which means that it is subject to a public interest test. We again acknowledge the public interest in openness and transparency, but we consider that there is also a public interest in the FCO protecting national security through our relationships with neighbouring states on bilateral security cooperation. Having reviewed the requested material, we are concerned that its release would undermine the relationships we have developed, and on which our security cooperation aimed at countering threats to the security of the UK and UK interests relies. We have therefore concluded that these exemptions apply and that withholding the material serves the public interest better than release in this instance.

Further to this, the FCO can neither confirm nor deny whether it holds any additional information that would meet the terms of your request, in reliance on the exemptions in sections 23(5) and 24(2) of the Freedom of Information Act 2000. To the extent that section 24(2) applies, the department has determined that in all circumstances of the case, the public interest in maintaining exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not the information is held, and to give a statement of the reasons why the exception applies would involve the disclosure of exempt information. Therefore, under section 17(4) of the Act, the FCO is not obliged to give such a statement. However, this should not be taken as necessarily indicating that any further information what would meet your request exists or does not exist.

Yours sincerely,

Sudan and South Sudan Unit



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.