



Foreign &
Commonwealth
Office

International Energy Unit
Foreign and Commonwealth
Office
King Charles Street
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21 August 2015

ENVIRONMENTAL INFORMATION REQUEST (EIR) REF: EIR 012-15

Thank you for your email of 29 June 2015 asking for information under the Environmental Information Regulations 2004 (EIR). You asked:

This is a request for information, under the Environmental Information Regulations 2004.

Please send me:

1) Correspondence (including letters, emails, records of telephone conversations and records of meetings), dated from 12 November 2014 to the present, between the UK government and the International Energy Agency (IEA), on the subject of its World Energy Outlook, its Special Report on Energy and Climate Change, or its scenarios for future supply and demand of energy.

2) Correspondence (as above), dated from 12 November 2014 to the present, between the UK government and the companies Shell, BP, BG, ExxonMobil/Esso, Total, Eni, Chevron or Statoil on the subject of the IEA.

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

I can confirm that the Foreign and Commonwealth Office does hold information in scope of your request, in relation to Point (1) of the request. The FCO does not hold any information related to Point (2) of your request. The information you are seeking may be held by another government department.

I have compiled and attach a digest of the information that falls under the request in relation to Point (1).

In preparing the digest, I consider that some of the information requested should be exempted from disclosure under regulations 12(5)(a), 12(4)(e) and 13(1) of the Environmental Information Regulations 2004.

Regulation 12(5)(a): permits the withholding of information if its publication would adversely affect international relations, defence, national security or public safety. This is a qualified exception which requires that the FCO consider carefully the balance of public interest in publishing the information. The FCO has taken into account that there is a general public interest in greater transparency in how Government operates and in demonstrating the methods of communication it conducts with other states, and international organisations. Open policy making may also lead to increased trust and engagement between citizens and government.

However, with regard to this information and section 12(5)(a), we have had to balance the important public interest in disclosure of information against the public interest in protecting the UK's international relationships, in this case with the International Energy Agency (IEA). We believe that disclosure of information which was shared in confidence, and is not already in the public domain, would reduce the willingness of the IEA and of other IEA Member Countries to engage with the UK and would weaken the ability of the FCO to operate in the UK's national interest. We consider that these factors outweigh the public interest in releasing some of the information. Accordingly some information has been disclosed and some information withheld.

Regulation 12(4)(e): permits the withholding of information if its publication would involve the disclosure of internal communications. This is a qualified exception, which requires the FCO to consider carefully the balance of the public interest in publishing this information. The FCO considers that disclosure of this information would be likely to inhibit the free and frank provision of advice and the free and frank exchange of views for the purposes of deliberation. There is a strong public interest in protecting the space Ministers and officials have to consider and discuss options, to ensure that full and proper consideration to policy is given. The candour of contributions to this process would be likely to be affected by officials' assessment of whether the content of such discussion would be disclosed in the near future. This would have a negative impact on the quality of decision making, which is clearly not in the public interest. For these reasons, we consider that the public interest in withholding this information outweighs the public interest in release.

Regulation 13(1): 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 regulation 13(1) of the EIRs applies. 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, regulation 13 confers an absolute exception on disclosure. There is, therefore, no public interest test to apply.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on gov.uk in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

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Economic Diplomacy Directorate
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