



Foreign &
Commonwealth
Office

South Asia Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

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

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FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI 0631-16

Thank you for your email of 29 June 2016 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

About the work of the Conflict, Stability and Security Fund (CSSF) with Bangladesh in FY15/16 and FY 16/17:

1. *Project Titles*
2. *Project Dates*
3. *Project briefing, monitoring and evaluation documents*
4. *The amount of CSSF budget allocated to each project*
5. *Copies of IPAB or OSJA documents*

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.

The information that the FCO hold identifies one Conflict, Stability and Security Fund (CSSF) project in Bangladesh that runs from 2015-2018. The project is entitled **Professionalisation of the Bangladesh Armed Forces**. In FY2015-16 the project allocation was approved at £300,000, in FY2016-17 the figure is £225,000.

Of the information that the FCO hold and have released with this letter, some information has been withheld under exemptions: section 24 – National Security, section 26 – Defence; section 27 – International relations; 40 – Personal information and section 43 – Commercial interests.

Section 24 (1) is a qualified exemption, which means it is subject to a public interest test. We acknowledge the public interest in openness and transparency, but we consider that there is public interest in the FCO protecting national security. Having reviewed the requested information, release of some of the information could adversely impact on the

UK's security. We have therefore concluded that the exemption applies and that withholding the information serves the public interest better in this instance.

Section 26 (1) (b) allows for the withholding of information if it is likely to prejudice the operational effectiveness of Armed Forces of the Crown or any armed forces with whom they are working. The decision on whether to invoke this exemption is based on a public interest test. Factors in favour of release are the benefits of increase in public knowledge that releasing the information will have in terms of informing public debate. However, these benefits need to be balanced against the risks that releasing the information could have on the success of future military operations and preserving the confidentiality of Bangladeshi Military. It is our view that releasing some information could prejudice British defence relations with the Bangladesh Military and restrict future engagement. In this case it was judged that the potential costs associated with releasing the information outweighed the benefits.

Some information is exempt from release under Section 27 (1) (a) (c) and (d) of the FOIA – information which would, or would be likely to, prejudice relations with Bangladesh. Section 27 is a qualified exemption. As such, a public interest test to determine whether or not the information should be released must be applied.

The effective conduct of our relationship with other governments depends on maintaining their trust and confidence. If we do not, our ability to work with them on a range of issues would be impeded. We recognise that there is public interest in transparent and open government and releasing information that would inform public debate about our efforts to co-operate with international partners on defence and security matters. There is a strong public interest in understanding the assistance that we provide to other governments regarding the defence and security of their country. However, we have to balance against the impact that disclosure could have on future co-operation with the Bangladesh authorities.

The UK government's relationship with the Bangladesh Government and the Bangladesh Military allows us to freely discuss our foreign policy and to carry out our responsibility to protect officials. If we do not honour our part in this relationship, the Bangladesh Government, their Military, and other international partners, may be more reluctant to share sensitive 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. We judge that the release of some information contained in the documents would damage our relations with authorities on whose co-operation we rely upon for security and defence matters. This would seriously compromise our ability to work with them in future. In assessing where the balance of the public interest lies, we have taken into account the ongoing nature of our cooperation with the Bangladesh government and its armed forces and assess that disclosing the information would be harmful to relations with Bangladesh. For the reasons above, we believe that the public interest in releasing this information does not outweigh the case for exemption.

Some of the information you have requested contains personal data relating to government officials, the disclosure of which would contravene one of the data protection principles. In such circumstances section 40(2) and (3) of the FOIA 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 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Section 43(2) applies as some of the information you have requested is commercially sensitive. There is a public interest in the disclosure of commercial information to ensure effective, open and honest use of public money. However, we consider that this transparency also poses risks to the protection of commercially confidential information, or information the release of which would harm the commercial interests of any body. This would limit the sources of information and interlocutors available to the MoD or provide competitive advantage to other providers, which is detrimental to UK. In doing so, it would seriously impair our ability to work for UK interests. For this reason, we believe that the public interest in maintaining this exemption strongly outweighs that in disclosure.

The FCO can neither confirm nor deny whether the above information represents all the information held that would meet the terms of your request, as the duty to comply with section 1(1)(a) of the Freedom of Information Act 2000 does not apply by virtue of sections 23(5). Section 23 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

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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Yours sincerely,

South Asia Department

