



Foreign &  
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Iran Department

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23 March 2016

**FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI 1241-15**

Thank you for your email of 30 December 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*Please supply all items of information held by the FCO in relation to a visit to Iran in December 2015 by the SNP MPs Alex Salmond and Tasmina Ahmed-Sheikh and SNP MSP Bill Kidd.*

<http://www.bbc.co.uk/news/uk-scotland-scotland-politics-35168780>

*This should include, but not be limited to, all information held on diplomatic and financial support related to the visit, briefings given to the MPs and MSP related to the visit, correspondence between the FCO and the MPs and MSP, and all FCO assessments and correspondence about the visit.*

*In order to fulfil this request as cheaply and efficiently as possible, it is suggested that copies of original files are released in PDF format.*

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 has been withheld using Section 27 – International relations, Section 28 – Relations within the UK, Section 36 – Prejudice to the conduct of public affairs and Section 40 – Personal information.

**Section 27**

Section 27(1)(a) of the FOIA recognises the need to protect information that would be likely to prejudice relations between the United Kingdom and other states if it was disclosed. In this case, the release of information relating to immigration matters could harm our relations with Iran.

The application of s.27(1)(a) 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 Iran. However, s.27 (1) (a) recognises that the effective conduct of international relations depends upon maintaining trust and confidence between governments. 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 our relationship with the Iranian Government could potentially damage the bilateral relationship between the UK and Iran. This would reduce the UK government's ability to protect and promote UK interests through its relations with Iran, 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.

### **Section 28**

Some information has been withheld under Section 28 – relations within the UK. The FCO has to strike a balance between being able to give free and frank advice to Ministers and senior officials in London, while maintaining a good working relationship with the Scottish Executive to promote their interests. Section 28(1)(2)(b) is a qualified exemption as such, we have considered where the greater public interest lies. Disclosure could meet the public interest in transparency and accountability. However, the effective conduct of internal UK relations depends upon maintaining trust and confidence between Governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through internal relations will be hampered, which will not be in the public interest. The disclosure of information could potentially damage the relationship between the UK and the Scottish Administration which is not in the public interest. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing it.

### **Section 36**

Some of the information you have requested is exempt under section 36(2)(b) of the Act. This allows for withholding information whose disclosure would inhibit, or would be likely to, inhibit:

- i. the free and frank provision of advice, or
- ii. the free and frank exchange of views for the purposes of deliberation

It is the opinion of an FCO Minister that disclosing this information would be likely to inhibit the free and frank provision of advice by officials and the candid exchange of views for the purposes of deliberation. There is a strong public interest in protecting the space that Ministers and officials have in which to consider and discuss options to ensure that policies and, in this case visits, are given full and proper consideration.

### **Section 40**

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.

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Yours sincerely,

Iran Department



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