



Foreign &
Commonwealth
Office

**Western Balkans & Enlargement
Department**

Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

13 August 2015

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

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI 0292-15

Thank you for your email of 2 March 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked for 22 telegrams dated between April 1993 and August 1993.

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

The FCO's record-keeping is governed by relevant legislation as well as standards set by The National Archives. The FCO follows the Public Records Act requirements on destruction of documents.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information you have requested, 18 of the 22 telegrams you enquired after.

We are releasing five documents:

- Telegram no.1225
- Telegram no. 97
- Telegram no. 592
- Telegram no. 600
- Telegram no. 601

We are also releasing paragraphs 19 – 24 of Telegram 1384.

We are withholding:

- paragraphs 1 – 19 of Telegram 1384 under Section 27 (2) of the Freedom of Information Act
- Telegram no. 865 under Article 27 (2) of the Freedom of Information Act

- Telegram no. 123 under Article 27 (2) of the Freedom of Information Act
- Paragraphs 1 – 4 of Telegram no. 1765 under Article 27 (1b) of the Freedom of Information Act
- Paragraphs 5 – 13 of Telegram no. 1765 under Article 27 (2) and Article 27 (1a) of the Freedom of Information Act
- Telegram no. 155 under Article 27 (1a) and Article 27 (1b) of the Freedom of Information Act
- Telegram no. 1903 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 1911 under Article 27 (1a) and Article 27 (2) of the Freedom of Information Act
- Telegram no. 1930 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 1948 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 1961 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 1976 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 1993 under Article 27 (2) of the Freedom of Information Act
- Telegram no. 2018 under Article 27 (2) of the Freedom of Information Act

Application of public interest test

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. Section 27 (1)(b) of the FOIA recognises the need to protect information that would be likely to prejudice relations between the United Kingdom and any international organisation or international court. In this case, the release of information relating to discussion on UN safe areas could harm our relations with a number of UN member states and the UN.

The application of 27(1)(a) and 27 (1)(b) 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 discussions in and around the UN Security Council on Safe Areas during the Bosnia conflict. However 27 (1) (a) and 27 (1)(b) recognise that the effective conduct of international relations depends upon maintaining trust and confidence between governments and international organisations. 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 several UN member state governments and the UN institutions could potentially damage the relationship between the UK and those member states, and between the UK and the UN. This would reduce the UK government's ability to protect and promote UK interests. For these reasons we consider that, the public interest in maintaining this exemption outweighs the public interest in disclosing it.

Some of the information within the scope of your request is also exempt under Sections 27 (2) of the Act as it relates to confidential Government to Government discussion with other States and international organisations (in this instance, with the UN Security Council members of the time and several other states).

If we want to continue to play an influencing role, then our bilateral relationships with these countries needs to be protected. The effective conduct of international relations depends

upon maintaining trust and confidence between Governments. This relationship of trust allows for the free and frank exchange of information on the understanding that it will be treated in confidence. If the United Kingdom does not respect such confidences, its ability to protect and promote UK interests through international relations will be hampered. The States concerned may be 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, to the detriment of UK interests. Again, we recognise that there is public interest in this particular subject. But, for all the reasons mentioned above, we consider that in all the circumstances of the case, the public interest in maintaining this exemption outweighs the public interest in disclosure.

Some of the information you have requested is exempt under section 40(2) of the Freedom of Information Act. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of the information would, amongst other things, contravene one of the data protection principles in schedule 1 of the Data Protection Act. In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption and the Foreign and Commonwealth Office is not obliged to consider whether the public interest favours disclosing the information. The names of Directors General and Directors are readily available. The results of the Civil Service People Survey for specific Director General groups and Directorates can therefore be connected back to these specific individuals. Therefore the results for specific Director General groups or Directorates can be considered to be personal data about these individuals because it pertains to their personal capability as a manager and leader.

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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I hope you are satisfied with this reply. However, if you wish to make a complaint or if you would like a review of our decision, please write to the FOI and DPA Team, Foreign and Commonwealth Office, Room K4.14, King Charles Street, London, SW1A 2AH. E-mail: foi-dpa.imd@fco.gov.uk. You have 40 working days to do so from the date of this letter.

If you are not content with the outcome of your complaint, you may then apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Western Balkans & Enlargement Department



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.