



Foreign &
Commonwealth
Office

23 February 2016

Near East Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

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

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0527-15

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

All briefing material supplied to Mr Philip Hammond, the secretary of state for foreign and Commonwealth affairs, relating to the situation in Gaza between the following dates: 15 July 2014 and 1 September 2014.

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 under section 27 (International relations), section 35 (Formulation of government policy) and section 40 (Personal Information).

Section 27 (1) (a) (b) (c) and (d) and (2) and (3) – International Relations

Some of the information you requested has been withheld under Section 27 (1) (a), (b), (c) and (d) and (2) and (3). Section 27 exists to protect the UK's (a) relations between the UK and any other state, (b) relations between the UK and any international organisation or international court, (c) the interests of the UK abroad and (d) the promotion or protection by the UK of its interests abroad. Section 27 (2) and (3) exists to protect confidential information obtained from a State other than the United Kingdom or from an international organisation or international court.

In applying these exemption, we have to consider the public interest test arguments in favour of releasing the information against the public interest in withholding it. Factors in favour of disclosure include the strong public interest in transparency and accountability. There is also a clear public interest in raising awareness and understanding of how the UK government

works at a country level and in how we aim to engage with partner governments and international organisations.

Section 27 (1) (a) (b) (c) and (d) recognises that the effective conduct of international relations depends upon maintaining trust and confidence between governments and the UK government 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 the Israeli government as well as the Palestinian Authority (PA) could potentially damage our bilateral relationship. This would reduce the UK's government's ability to protect and promote UK interests through its relations with Israel and the PA, 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 27 (2) and (3) of the FOIA recognises the need to protect information provided in confidence to the UK Government by another Government. In this case, the information being withheld relates to confidential discussions held between the UK government officials and representatives of the government of Israel.

This application of section 27 (2), (3) requires us to consider the public interest test arguments in favour of releasing and withholding the information. We acknowledge that it is in the public interest to show how the UK government interacts with the Israeli government. However, information provided by officials with whom we have regular contact, and the information that they provide on a wide range of interests, can increase the UK government's understanding and engagement in the wider issues in this region of the world. Disclosure of the information that was given to us in confidence would damage our relationships with the individuals concerned: they would be more guarded and less co-operative in their dealings with us. It is for these reasons that we considered that the public interest in maintaining exemption outweighs the public interest in disclosure of the information.

Section 35 (1) (a) – Formulation of Government Policy

Section 35 (1) (a) of the Act is about information related to the formulation or development of government policy which also requires the application of a public interest test. It is recognised that there is public interest in the greater transparency in the decision making process to ensure accountability within public authorities. However, officials need to be able to conduct rigorous and candid risk assessments, including their pros and cons without there being premature disclosure which might close off better options and inhibit the free and frank discussion of all policy options. 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 maintaining this exemption outweighs the public interest in disclosing it.

Section 40 (2) (3) – Personal 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.

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 is an absolute exemption and does not require the public interest to be applied.

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,

**On behalf of the
Near East Department**



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