



Foreign &
Commonwealth
Office

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23 November 2015

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 1032-15

Thank you for your email of 24 October asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

“ Can I receive records for the timeline January - May 2009. I'm looking for documentation that speaks to the FCO's response to the civil war in Sri Lanka and any engagement staff or the Secretary may have had with Tamil diaspora groups (defined below) during this period”.

- I would also like documents from the time period January to November, 2013 that speak to the FCO's engagement with Tamil diaspora groups in the lead-up to the Commonwealth Heads of Government Meeting.*
- I would also like any documents which speak to exchanges between the FCO and 10 Downing Street during both of these windows.*
- I'm looking for meeting notes, briefing notes and correspondence from both time periods.*
- In terms of the types of groups, I would be keen to get documents associated with groups such as Tamils (now Together) Against Genocide, Global Tamil Forum, British Tamil Forum and Sri Lanka Campaign for Peace and Justice”.*

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.

Some of the information has been withheld using sections 27 (1) (a) and (b) – international relations; 35 (1) (a) – the formulation or development of government policy; and, 40 (2) and (3) - personal information. The public interest test has been applied to the information withheld under sections 27 (1) (a) and (b) and section 35 (1) (a).

Information has been withheld using section 27 (2) – international relations. Section 27(2) of the Freedom of Information Act 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 UK Government officials and representatives of the Government of Sri Lanka from January to June 2009. Disclosure of the information that was given to us in confidence would damage our relationship with Sri Lanka: 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 under section 27(2) outweighs the public interest in disclosure of the information.

Similarly, some of the information you requested has been withheld under exemption 35(1)(a), formulation of government policy, as it formed part of briefing on ongoing policy towards Sri Lanka.

The FCO considers that there is a general public interest in greater transparency in the decision-making process in order to ensure government is accountable to the public.

However, with regards to section 35, for the effective formulation of government policy, the Government requires a clear space, immune from public view, in which it can debate matters internally free from the pressures of public political debate. This information is withheld due to the need for officials to be able to conduct rigorous and candid risk assessment of their policies and programmes, including their pros and cons, without there being premature disclosure which could close off alternative 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. We have judged that in this case, the public interest in maintaining this exemption outweighs the public interest in disclosure.

Also 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 section 40 (2) and (3) of the Freedom of Information Act apply. In this case, 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 and there is 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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Yours sincerely,

South Asia 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.

Digest of information for FOI REF: 1032-15

Documents to be released with following conditions:

Redactions under Section 40 - Personal Information.

1. Email of 13 December 2012 from Colombo subject CHOGM Boycot Petition
2. Email of 21 January 2013 with subject UK must exert...
3. Email of 25 February 2013 with subject Government attendance at the GTF...
4. Email of 25 February 2013 with subject BTF views on GTF...
5. Email of 11 March 2013 with subject British HC defends....

