



Foreign &
Commonwealth
Office

Counter Terrorism Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

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

27 July 2015

Dear

Your Freedom Of Information Request: 0325-15

Thank you for your request for information which we received on 25 March 2015 and which you further clarified on 15 April. In your request you asked for;

1. *human rights assessments of the Kenyan Anti-Terror Police Unit (ATPU), General Services Unit (GSU) or other Kenyan police or counter terror bodies or units, carried out by, commissioned by or requested by the FCO in 2011; and*
2. *feedback or reports received by the FCO from human rights defenders, NGOs, individuals or other sources relating to these bodies' adherence to international minimum human rights standards.*

I am writing to advise you that following a search of our paper and electronic records, I have established that the Foreign and Commonwealth Office (FCO) does hold information in relation to your request. I attach a digest of the information relevant to your request.

Some information has been withheld as it is personal data relating to third parties. It is our view that disclosure of this information would breach the first data protection principle, which states that data should be processed fairly and lawfully. Section 40(2) and (3) of the Freedom of Information Act (FOIA) therefore 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. We do not therefore have to apply the public interest test.

Further to this, the FCO can neither confirm nor deny whether it holds any additional information that would meet the terms of your request, in reliance on the exemptions in sections 23(5) and 24(2) of the Freedom of Information Act 2000. To the extent that section 24(2) applies, the department has determined that in all circumstances of the case, the public interest in maintaining exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not the information is held, and to give a statement of the reasons why the exception applies would involve the disclosure of exempt information. Therefore, under section 17(4) of the Act, the FCO is not obliged to give such a statement. However, this should not be taken as necessarily indicating that any further information what would meet your request exists or does not exist.

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,

Kenya Desk Officer
Counter Terrorism Departm



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