



Foreign &
Commonwealth
Office

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

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13 October 2015

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0909-15

Thank you for your email of 14 September asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

"I'd like to request the following dipfels sent by the UK embassy in Mongolia be released by the Foreign Office Pacific Department:

30/06/2015 PM Saikhanbileg's UK Visit: "Mongolia Open For Business".

19/05/2015 Oyu Tolgoi phase two finally on the move again

07/04/2015 Title unknown

30/03/2015 Title unknown

26/02/2015 Mongolia: To invest or not to invest?

05/11/2014 Title unknown

29/05/2014 Mr Swire's Visit to Mongolia, 20-22 May 2014

19/05/2014 Scen setter: Mr Swire's visit to Mongolia: 20-22 May"

I can confirm that the Foreign and Commonwealth Office (FCO) holds 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 sections 27, 38, 40 and 43 of the Freedom of Information Act.

Section 27

Section 27(1) (c) is a qualified exemption and 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 international relations depends upon maintaining trust and confidence between governments. If the UK 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 setting out the thoughts of an official on our relationship with various states could potentially damage the relationship between the UK and those states. The relationships are on-going and comments could be taken into account by those states. This could reduce the UK Government's ability to protect and promote UK interests 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 disclosure.

Section 38

We have withheld information that is likely to endanger the safety of individuals under Section 38(1) (b). In applying the public interest test we considered that such information would demonstrate openness and public accountability, however, release of this information could seriously endanger the health and safety of a specific individual. For this reason we judge that the public interest in withholding this information outweighs the public interest in disclosure.

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.

Section 43

Some of the information is exempt under Section 43 (2) of the Act, which relates to commercial interests. The use of this exemption was carefully considered. The factors in favour of disclosure of this information, including the general public interest and greater transparency and accountability, were carefully weighed against the need to allow business-people and commercial organisations the space to conduct their lawful business competitively and without fear of disclosure of sensitive commercial information. Failure to protect such commercially sensitive information would limit the sources of information and interlocutors available to the FCO and limit the FCO's ability to promote the British economy and lobby for the interests of British businesses overseas. In this case after such consideration we believe that the public interest in withholding the redacted information outweighs the public interest in its release.

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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ensure that you gain their permission before reproducing any third party (non-Crown Copyright) information.

Yours sincerely,

Pacific Department



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